given was given in part for the said Charlotte Withers and others against the said James Turner and wife and others, whereby the Law of the Land that Decree ought to have been given for the said James Turner against the said Charlotte Withers and others therefore in that there is Manifest error and they pray that the Decree aforesaid for that error and others being in the Record of proceedings aforesaid, may be reversed annulled and held entirely as void and that they the said James Turner and wife and others may be restored to all things which they have lost by occasion of the said Decree and that the said Charlotte Withers and others may pay to the errors aforesaid, and so forth, And thereupon it is prayed by the Court of Appeals here that the said Charlotte Withers and others for in the errors by the said James Turner and wife and others above assigned in the Record of proceedings aforesaid a Decree by the Court of Appeals here will be rendered against them in default thereof, and the said Charlotte Withers and others by their attorneys aforesaid say there is error in the Record of proceedings aforesaid and also in the giving of the Decree aforesaid and they pray that the Court of Appeals here will proceed to the examination as well of the Record of proceedings aforesaid, as of the matters aforesaid by the said James Turner and wife and others above for error assigned and that the said Decree may be reversed as against James Turner and others and so forth thereupon further process of and upon the premises between the parties aforesaid is by virtue of an Act of Assembly in such cases made and provided continued before the Court of Appeals here until the first Monday in December next the same day is given to the said parties then to hear the Decree of the Court of Appeals here of and upon the premises, and so forth.

And now also come into the Court of Appeals here as well the said Charlotte Withers and others by George M. Brum and F. M. Brum Esquires their attorneys as the said James Turner and wife and others by William S. Waters and A. W. Machen Esq. their attorneys and thereupon on motion of the said James Turner and wife and others by their attorneys aforesaid it is ordered by the Court here that the said Charlotte Withers and others assign the errors in the Record of proceedings aforesaid or in the giving the Decree aforesaid so as aforesaid brought before the Court of Appeals here for correcting the errors supposed to be therein or Decree by the Court of Appeals here will be entered against them in default thereof and the said Charlotte Withers and others by their attorneys aforesaid say that in the Record of proceedings aforesaid and also in the giving of Decree aforesaid there is Manifest Error in this to Wit that by the Record aforesaid it appears that a Decree aforesaid to the cause aforesaid was given in part for the said James Turner and wife and others against the said Charlotte Withers and others whereby the Law of the Land that Decree ought to have been given for the said Charlotte Withers and others against the said James Turner and wife and others therefore in that there is Manifest error, and they pray that the Decree aforesaid for that error and others being in the Record of proceedings aforesaid may be reversed annulled and held entirely as void and that they the said Charlotte Withers and others may be restored to all things which they have lost by occasion of the said Decree and that the said James Turner and wife and others may return to the errors aforesaid and so forth and thereupon it is ruled by the Court of Appeals here that the said James Turner and wife and others for in the Errors by the said Charlotte

Withers and others above assigned in the Record of proceedings aforesaid a Decree by the Court of Appeals here will be rendered against them in default thereof and the said James Turner and wife and others by their attorneys aforesaid say there is no error in the Record of proceedings aforesaid nor in the giving of the Decree aforesaid and they pray that the Court of Appeals here will proceed to the examination as well of the Record of proceedings aforesaid as of the matters aforesaid by the said Charlotte Withers and others above for error assigned and that the said Decree may in all things be reversed against Charlotte Withers and others and so forth thereupon further process of and upon the premises between the parties aforesaid is by virtue of an Act of Assembly in such cases made and provided, continued before the Court of Appeals here until the first Monday in December next the same day is given to the said parties then to hear the Decree of the Court of Appeals here of and upon the said premises,

At which said first Monday in December being the first day of the said Month in the year of our Lord 1862 came again into the Court of Appeals here the parties aforesaid by their attorneys aforesaid, But because the Court of Appeals here are as yet not advised what Decree to give of and upon the premises, a day therefore is further given to the parties aforesaid with the consent of the said parties by their attorneys aforesaid to come before the Court of Appeals here on the first Monday in June next to hear the Decree of the Court of Appeals here of and upon the premises for that the Court here as yet are not so.

At which said first Monday in June being the first day of the said Month in the year of our Lord 1863 came again into the Court of Appeals here the parties aforesaid by their attorneys aforesaid.

This cause was regularly continued from Term to Term until the first Monday in April 1865.

At which said day to wit the said first Monday in April being the third day of the said Month in the year of our Lord 1865 came again into the Court of Appeals here the parties aforesaid by their attorneys aforesaid Whereupon as well the Record and proceedings aforesaid and the Decree given in form aforesaid as the matters aforesaid by the said James Turner and wife and others above for error assigned being seen and by the Court of Appeals here fully understood and mature deliberation thereupon had, For that it appears to the Court of Appeals here that there is error in the Record of proceedings aforesaid and also in the giving of the Decree aforesaid, Thereupon the Court of Appeals here passed their Decree which is in the words and of the tenor following to Wit.

James Turner et al
vs
Charlotte Withers et al
and
Charlotte Withers
vs
James Turner et al

Cross Appeals.
Court of Appeals of Maryland
April Term 1865.

The appeals in these causes standing ready for hearing were argued by the Counsel of the respective parties and the proceedings here been seen, read and considered, by the Court

Now, thereupon this 28th day of April, 1865, by the Court of Appeals of Maryland