State of Maryland Cecil County Sct

I hereby certify that the aforegoing is truly taken from the Record of proceedings of the Equity side of Circuit Court for Cecil County

In testimony whereof I hereto set my hand and affix the seal of the said Court this 1st day of July 1866.

(Seal)

Wm H Rogers Clk
Circuit Ct for Cecil County.

And now come into the Court of Appeals here as aforesaid the said John C Groome admr of Jacob Keck and John V Herriott by E J Chambers John A J Cresson and John Groome Esquires their attorneys as the said John Lewis and Edwin J Cannon by Alexander Evans and H W Archer Esq the attorneys and thereupon on motion of the said John W Lewis and Edwin J Cannon by their attorneys aforesaid it is moved by the Court here that the said John C Groome admr of Jacob Keck and John V Herriott assign the errors in the Record of proceedings aforesaid or in the giving the Decree aforesaid so as aforesaid being at before the Court of Appeals here for correcting the errors supposed to be therein or Decree by the Court of Appeals here and to enter against them in default thereof and the said John C Groome admr of Jacob Keck and John V Herriott 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 the Decree aforesaid in the cause aforesaid given for the said John Lewis et al against the said John C Groome adr of Jacob Keck and J V Herriott when by the law of the land that Decree ought to have been given for the said John C Groome admr of Jacob Keck and John V Herriott against the said John Lewis et al therefore it is that there is manifest error in the said 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 John C Groome admr of Keck and J V Herriott may be restored to all things which they have lost by occasion of the said Decree and that the said John Lewis et al may respond to the Errors aforesaid and so forth. And thereupon it is moved by the Court of Appeals here of that the said John Lewis et al join in the errors by the said John C Groome admr of Jacob Keck and J V Herriott above assigned in the Record of proceedings aforesaid or Decree by the Court of Appeals here and to tender against them in default thereof, and the said John Lewis et al 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 to proceed to the examination as well of the Record of proceedings aforesaid as of the matters aforesaid by the said John C Groome Admr of Jacob Keck and J V Herriott above for Error assigned and that the said Decree may in all things be affirmed, and so forth thereupon further process of law 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 in the same days given to the said parties there then to hear the Decree of the Court of Appeals here of and upon the said premises and so forth,

At which said first Monday of December being the seventh day of the said month in the year of our Lord 1864 came again into the Court of Appeals here the parties aforesaid by their attorney aforesaid, But because the Court of Appeals here are not yet 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 now here, as yet are not so

At which said first Monday in June 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 But because the Court of Appeals here are as yet advised what judgment to give of and upon the premises,

This cause was regularly continued from Term to Term until the first Monday of April 1865:

And now at this 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 of the parties aforesaid by their attorneys aforesaid Whereupon as well the Record and proceedings aforesaid and the Decree given in June aforesaid as the matters aforesaid by the said John C Groome admr of Jacob Keck and J V Herriott 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 Therefore it is considered by the Court of Appeals here that the Decree aforesaid given in June aforesaid be reversed and the cause remanded to the Court for Cecil County. And it is further considered by the Court of Appeals here that the said John C Groome admr of Jacob Keck and J V Herriott have execution against the said John Lewis and Edwin J Cannon as yet for the sum of fifty five dollars and twenty cents for their costs in the said Circuit Court for Cecil County as also the sum of one hundred and eighteen dollars and twenty five cents with the said John C Groome admr of Jacob Keck and J V Herriott by the Court of Appeals here in their assent for their costs and charges which they sustained in the prosecution of the said appeal by them the said John C Groome admr of Jacob Keck and John V Herriott for the correcting of errors of and upon the premises as aforesaid prosecuted &c

Thereupon the Court of Appeals here passed their Decree which is in the words and of the tenor following to wit,

John C Groome admr of Jacob Keck deceased and John V Herriott vs John Lewis	Court of Appeals of Maryland April Term 1865

The appeals in this cause standing ready for hearing, were argued by the Counsel of the respective parties, and the proceedings have since been read and considered by the Court. It is thereupon this 26th day of May 1865 by the Court of Appeals of Maryland and by authority thereof adjudged ordered and decreed that the decree of the Circuit Court for Cecil County sitting as a Court of Equity from which the appeals in this cause now taken be and the same are hereby reversed with costs to the appellants and the cause hereby remanded to said Court for further proceedings.

Richard J Bowie,