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by his Attorneys aforesaid says that the Record of Proceedings aforesaid and also in the giving of Order aforesaid there is manifest error in this to wit, that by the Record aforesaid it appears that the Order aforesaid in the cause aforesaid given was given for the said John T. Gray against the said Samuel C. Veirs whereby the Law of the Land that Decree ought to have been given for the said Samuel C. Veirs against the said John T. Gray therefore in that there is manifest error and he prays that the Order aforesaid for that error and others being in the Record of Proceedings aforesaid may be reversed annulled and held entirely as nul and that he the said Samuel C. Veirs may be restored to all things which he hath lost by occasion of the said Order and that the said John T. Gray may return to the parties aforesaid and so forth. And thereupon this matter by the Court of Appeals here that the said John T. Gray from the error by the said Samuel C. Veirs above assigned in the Record of Proceedings or Order by the Court of Appeals here will be rendered against him in default thereof and the said John T. Gray by his Attorney aforesaid says there is no error in the Record of Proceedings aforesaid nor in the giving of the Order aforesaid and he prays 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 Samuel C. Veirs above for error assigned and that the Judgment 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 case made and provided Entertained before the Court of Appeals here until the first Monday in April next the same days given to the said parties there to hear the Decree of the Court of Appeals here of and upon the said premises.

And now at this day to wit on the 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 Order given in form aforesaid as the matters aforesaid by the said Samuel C. Veirs above for error assigned being seen and by the Court of Appeals here fully understood and maturely deliberated thereon had. For that it appears to the Court of Appeals here, that there is no error in the Record of Proceedings aforesaid nor in the giving of the Order aforesaid. Therefore it is considered by the Court of Appeals here that the Order aforesaid given in form aforesaid, be in all things affirmed and stand in full force and effect the said causes for error above assigned and alleged in anywise notwithstanding. And it is further considered by the Court of Appeals here that the said John T. Gray have execution against the said Samuel C. Veirs as well for the costs and charges aforesaid adjudged unto in the said Orphans Court for Montgomery County as also the sum of Seventy four dollars and twenty five cents adjudged unto the said John T. Gray by the Court of Appeals here on his assent for his costs and charges which he sustained by occasion of the delay of the Execution of the Order aforesaid by pretext of the prosecution of the said Appeal by the said Samuel C. Veirs for the correcting of errors of and upon the premises as aforesaid prosecuted &c.

Whereupon the Court of Appeals here passed their Decree in the words and of the tenor following to wit.

Samuel C. Veirs
vs.
John T. Gray

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The Appeal in this cause standing ready for hearing was argued by the Counsel of the respective parties in Writing, and the proceedings have since been read and considered by the Court. It is therefore this 12th day of July 1865 by the Court of Appeals of Maryland and by the authority thereof adjudged ordered and decreed, that the Order of the Orphans Court for Montgomery County sitting as a Court of Equity from which the Appeal in this case has been taken, the same is hereby affirmed with costs to the Appellee and the cause hereby remanded to said Orphans Court for further proceedings.

James L. Bartol
J. Mason Cochran
D. Hesser

Test. George Earle Clerk.