Edward J Carter and others
vs
James T Jefford and others.

In the Circuit Court for Baltimore City.

Appeal to the Court of Appeals

It is agreed that the foregoing transcript or record for the Court of Appeals shall be sent up by the Clerk made as a perfect record for the purposes of this appeal, it being also agreed that in the Court of Appeals it shall be competent to either party to read in evidence any other papers documents or proceedings of the said cause not inserted in said transcript. It is further admitted that any delay that may have occurred in making out and transmitting the record for the Court of Appeals in this cause is not attributable to the appellants.

L. M. Reynolds Solr for Appellees.
A W Meacham Solr for Appellants

Filed 28th April 1864.

It is thereupon Ordered by the Court here that a transcript of the Record and Proceedings (in accordance with the foregoing agreement) in the cause aforesaid, be transmitted to the said Court of Appeals and the same is transmitted accordingly. Test Samuel M Evans Clerk

In testimony that the aforegoing is a true transcript taken from the Records of proceedings of the Circuit Court for Baltimore City in the cause therein mentioned I hereto set my hand and affix the seal of the said Court this 28 day of April in the year of our Lord 1864.

(Seal)

Samuel M Evans Clerk
of the Circuit Court for Baltimore City

Complainants Costs $23.15 Defendants Costs $14.40.

And now come into the Court of Appeals here as well the said James T Jefford and Ann Elizabeth Jefford by A W Meacham and R J Gittings Esquires their attorneys as the said Edward J Carter by L M Reynolds Esq his attorney and thereupon on motion of the said Edward J Carter by his attorney aforesaid it is ordered by the Court here that the said James T Jefford and Ann Elizabeth Jefford assign the errors in the Record of proceedings aforesaid or in the giving 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 James T Jefford and Ann Elizabeth Jefford 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 a plea aforesaid given was given for the said Edward J Carter against the said James T Jefford and Ann Elizabeth Jefford when by the Law of the land that decree ought to have been given for the said James T Jefford and Ann Elizabeth Jefford against the said Edward J Carter 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 T Jefford and A. E. Jefford may be restored

to all things which they have lost by occasion of the said Decree and that the said Edward J Carter may reform to the Errors aforesaid, and so forth, And thereupon it is ruled by the Court of Appeals here that the said Edward J Carter form in the errors by the said James T Jefford and Ann E Jefford above assigned in the Record of Proceedings aforesaid or Decree by the Court of Appeals here will be rendered against him in default thereof; and the said Edward J Carter by his Attorney aforesaid says, there is no error in the Record of proceedings aforesaid, nor in the giving of the Decree 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 James T Jefford and Ann E Jefford above for error assigned, and that the said Decree may in all things be affirmed and so forth: Thereupon further process of and upon the premises between the parties aforesaid in virtue of an Act of Assembly in such cases made and provided, continued before the Court of Appeals here until the first Monday in June next: the same day is 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 June being the sixth day of the said Month, in the year of our Lord One thousand eight hundred and sixty four came again into the Court of Appeals here, the parties aforesaid by their Attorneys 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 January 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 January being the fourth day of the said Month in the year of our Lord 1865 come again into the Court of Appeals here the parties aforesaid by their Attorneys 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 April 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 April being the third day of the said month in the year of our Lord 1865 come again into the Court of Appeals here the parties aforesaid by their Attorneys 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 October 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

And now at this day to Wit the said first Monday in October being the second day of the said Month in the year of our Lord 1865 come again into the Court of Appeals here the parties aforesaid by their Attorney aforesaid,

And afterwards to Wit on the 20th day of February 1866 the following agreement was filed in the words and of the tenor following to Wit,