the Record of proceedings aforesaid, as of the matters aforesaid by the said D. W Nadel et ad above for error assigned, and that the said decree may in all things be affirmed and as to the Appellees 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 hereunto the first Monday in April next whereto the said is day is given to the said parties then there to hear the decree of the Court of Appeals here of and upon the said premises and so forth.

And now at this day to Wit the said first Monday in April being the second day of the said Month in the year of our Lord 1866 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 D. W Nadel et ad 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 the Court of Appeals filed its decree in the Words and of the tenor following to Wit.

Johann George Brendel and Becky D Brendel his Wife

vs

Johann George Strobel Catharine Maria Strobel Jesche Margarella Grane John Henrick Grane Henry Mallzen

I Be it remembered That now here on this 4th Tuesday of January being the 24th day of the said Month in the year of our Lord 1865 the Judge of the Circuit Court for Baltimore City being in the 13th Judicial Circuit of Maryland in pursuance of the directions of the Act of Assembly in such case made and provided Transmit to the Court of Appeals here the Record of proceedings of a cause which was lately depending before him in the Circuit Court of Baltimore City between Johann George Brendel and Wife Complainants and Johann George Strobel et al defendants and wherein the said Circuit Court gave decree for the said J George Strobel et al against the said J Geo Brendel and Wife and from which said decree the said J Geo Brendel and Wife appealed to the Court of Appeals here, the tenor of which said Record of proceedings is in Form following to Wit.

State of Maryland City of Baltimore to Wit At a Session of the Circuit Court for Baltimore City, in the fifth Judicial Circuit of the State of Maryland begun and held at the Court House in said City on the second Monday in January being the 11th day of the said Month in the year of our Lord 1864. Present The Honorable William Alexander Judge, John F Dana Esqr Sheriff Thomas Adams Clerk Among other, were the following proceedings to Wit

Johann George Brendel

Becky D Brendel his wife

vs

Johann George Strobel Catharine Maria Strobel Jesche Margarella Grane John Hedrick Grane and Henry Mallzen

I Be it remembered that at the above term to Wit on the 2d day of February in the year of our Lord 1864 came Johann George Brendel and Beckey D Brendel his wife into the Circuit Court for Baltimore City here by Samuel Snowden Esquire their Solicitor and exhibited to the said Court their Bill of Complaint in Form following to Wit To the Hon William Alexander Judge of the Circuit Court for Baltimore City The Bill of Complaint of John George Brendel and Beckey D Brendel his Wife of Baltimore City the said John George Brendel sworn as well for himself as all other Creditors of Johann H Muller late of said City deceased who will come in and contribute to the expenses of this suit hereby shews unto That the said Muller was in his life time indebted unto your Orator Johann George Brendel in the sum of $150.00 for board of said Muller from the 19th day of March 1857 ten years less 7 days at $3 per week as appears by an account herewith filed as part of this Bill Marked Exhibit A. And your Orator and Oratrix further shew that the said Muller being seized and possessed of lot of ground in said City on or about the 18th day of October 1856. duly made and executed his last Will and Testament in writing and thereby devised his wife Margarella Adelheid Muller all his Estate real personal and mixed during her life with power to her to sell and dispose of the same and from and after the death of the said Margarella Adelheid the said Testator devised all his Estate which should be on hand and remain undisposed of as follows namely one undivided third thereof to his daughter Jesche Margaretha Grane wife of Johann Henrich Grane, one other undivided third part thereof to your Orator Beckey Barthen Brendel Wife of your Orator Johann George