It is thereupon ordered by the Court here that a transcript of the Record and proceedings in the plea aforesaid with all things thereunto relating be transmitted to the Court of Appeals of Maryland, and the same is transmitted accordingly.

Test Horace Resley Clerk

Complainants Costs £42.55
Defendants Costs of Rec 138.80

The State of Maryland Allegany County to wit I Horace Resley Clerk of the Circuit Court for Allegany County do hereby certify the above and aforegoing to be my transcript from the Record and proceedings of the Circuit Court for Allegany County as a Court of Equity. In testimony whereof I hereunto subscribe my name and affix the seal of said Court at Cumberland, this 14th day of October A.D. 1865.

(Seal) Horace Resley Clerk

Cost. 18.5
5 cts

And now come into the Court of Appeals here as well the said Virginia Lynn by W. Gordon and S. M. Semmes Esquires her attorneys as the said George T. Sephart et al by G. A. and C. B. Thruston Esquires their attorneys and thereupon on motion of the said George T. Sephart by their attorneys aforesaid it is ruled by the Court here that the said Virginia Lynn 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 for nullo entered against her in default thereof and the said Virginia Lynn by her attorneys aforesaid say that in the Record of proceedings and also in the giving of decree aforesaid there is a manifest error in this to wit that by the Record aforesaid it appears that the decree aforesaid in the Court aforesaid given was given for the said George T. Sephart et al against the said Virginia Lynn when by the law of the land that decree ought to have been given for the said Virginia Lynn against the said George T. Sephart et al therefore in that there is manifest error and she prays that the decree aforesaid for that error and others being in the Record of proceedings aforesaid may be reversed annulled and held entirely as bad and that she the said Virginia Lynn may be restored to all things which she hath lost by occasion of the said decree and that the said George T. Sephart et al may reply to the errors aforesaid and so forth. And thereupon it is ruled by the Court of Appeals here that the said George T. Sephart et al join in the errors by the said Virginia Lynn above assigned in the Record of proceedings aforesaid or decree by the Court of Appeals here nullo rendered against them in default thereof: and the said George T. Sephart 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 may proceed to the examination as well of the Record of proceedings aforesaid as of the matters aforesaid by the said Virginia Lynn above for error assigned, and that the said Decree may be in all things affirmed 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 April 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 in April being the seventh 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. But because the Court of Appeals here are not yet advised what decree to give of and upon the premises, a day therefor 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 advised are not so advised said first Monday in October being the first 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: But because the Court of Appeals here are not yet advised what decree to give of and upon the premises a day therefor 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 until 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 advised are not so

And now at this day to wit the said first Monday in April being the first day of the said month in the year of our Lord 1867 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 Virginia Lynn 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 ordered their Decree in the words and figures following to wit.