In testimony that the aforegoing is truly taken from the records and proceedings of the Circuit Court of Baltimore city, in the therein entitled cause.

I hereunto set my hand and affix the seal of (Seal's Place.) the Circuit Court of Baltimore city aforesaid, this 22d day of December A. D. 1887.

Alvin Robertson,

Clerk of the Circuit Court of Baltimore city.

And now come into the Court of Appeals here, as well the said Joel Gutman, by L. M. Reynolds, Esq., his Attorney as the said Tho. H. Buckler, surviving Trustee, by D'Arcy Paul, Esq., his Attorney, and thereupon, on motion of the said Thomas H. Buckler surviving Trustee by his Attorney aforesaid, it is ruled by the Court here, that the said Joel Gutman, 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, will be entered against him in default thereof: and the said Joel Gutman by his Attorney aforesaid, says 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 plea aforesaid given, was given for the said Thomas H. Buckler surviving Trustee against the said Joel Gutman when, by the law of the land, that Decree ought to have been given for the said Joel Gutman against the said Thomas H. Buckler surviving Trustee, therefore, in that there is manifest error, and he 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 void, and that he the said Joel Gutman may be restored to all things which he hath lost by occasion of

the said Decree and that the said Thomas H. Buckler surviving Trustee may reform to the errors aforesaid, and so forth; and thereupon it is ruled by the Court of Appeals here, that the said Thomas H. Buckler surviving Trustee join in the errors by the said Joel Gutman 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 Thomas H. Buckler surviving Trustee 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 Joel Gutman, 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 second Monday in Jan. 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 second Monday in January being the ninth day of the said month, in the year of our Lord one thousand eight hundred and eighty-eight 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, &c.

And now at this day, to wit, the said second Monday in January,