torneys 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 the plea aforesaid given, was given for the said George E. Ballard et al against the said Robert F. Thompson and Alfred C. Thompson when, by the law of the land, that Decree ought to have been given for the said Robert F. and Alfred C. Thompson against the said George E. Ballard et al, 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 Robert F. and Alfred C. Thompson may be restored to all things which they have lost by occasion of the said Decree and that the said George E. Ballard et al, may rejoin to the errors aforesaid, and so forth; and thereupon it is ruled by the Court of Appeals here that the said George E. Ballard et al, join in the errors by the said Robert F. and Alfred C. Thompson above assigned in the Record of Proceedings aforesaid, or Decree by the Court of Appeals here will be rendered against them in default thereof: and the said George E. Ballard et al, by their Attorney 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 will proceed to the examination as well of the Record of Proceedings aforesaid, as of the matters aforesaid, by the said Robert F. Thompson and Alfred C.

Thompson 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 case 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 first Monday in April being the second 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 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, &c.

And now at this day, to wit, the said first Monday in October, being the first 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 attorney aforesaid.

Whereupon, as well the Record and Proceedings aforesaid, and the Decree given in form aforesaid, as the matters aforesaid, by the said Robert F. and Alfred C. Thompson above for error assigned, being seen, and by the Court of