December Term 1832.

On application Nelson Somerville Esquire of the City of Baltimore was admitted as an attorney of this court, and thereupon repeats and signs a declaration of his belief in the Christian Religion and takes the oaths required by Law.

Daniel Chambers. Elizabeth Cassel and Jane Chambers Executors of Daniel Chambers vs Prudence Gough Chalmers, Thomas Lee, Prudence Gough Chalmers & Sarah Chalmers.	Be it remembered, That on the second Monday in June being the ninth day of the said month, in the year of our Lord one thousand eight hundred and twenty eight the Chancellor of Maryland, in pursuance of the directions of the act of Assembly in such case made and provided, transmits to the Court of Appeals here the record of proceedings of a certain cause which

was lately depending before him in the Court of Chancery between Daniel Chambers plaintiff and Prudence Gough Chalmers and Prudence Gough Chalmers, Sarah Chalmers and Thomas Lee defendants, and wherein the said Court of Chancery passed a decree for the said Prudence Gough Chalmers and Prudence Gough Chalmers, Sarah Chalmers and Thomas Lee against the said Daniel Chambers, and from which said decree the said Daniel Chambers appealed to the Court of Appeals here, the tenor of which said record of proceedings is in form following to wit:

(See record bound up in Book J.J. No. 8 V.)

And now come into the Court of Appeals here as well the said Daniel Chambers by Henry W. Rogers his attorney, as the said Prudence Gough Chalmers and Prudence Gough Chalmers, Sarah Chalmers and Thomas Lee by George Winchester and Charles F. Mayer their attornies; and thereupon, on motion of the said Prudence Gough Chalmers and others by their attornies aforesaid, it is ruled by the Court here, that the said Daniel Chambers 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 judgment by the Court of Appeals here will be entered against him in default thereof. And the said Daniel Chambers 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 cause aforesaid given, was given for the said Prudence Gough Chalmers and others against the said Daniel Chambers when by the Law of the Land that decree ought to have been given for the said Daniel Chambers against the said Prudence Gough Chalmers and others, 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 Daniel Chambers may be restored

December Term 1832.

to all things which he hath lost by occasion of the said decree, and that the said Prudence Gough Chalmers and others may rejoin to the errors aforesaid and so forth. And thereupon it is ruled by the Court here Appeals here, that the said Prudence Gough Chalmers and others join in the errors by the said Daniel Chambers above assigned in the record of proceedings aforesaid, or judgment by the Court of Appeals here will be rendered against them in default thereof. And the said Prudence Gough Chalmers and others by their attornies aforesaid pray that a day may be given to them to join in the errors by the said Daniel Chambers above assigned in the record of proceedings aforesaid, until the first Monday in December next; and to them it is granted; the same day is also given to the said Daniel Chambers &c.

At which said first Monday in December being the first day of the said month, in the year of our Lord one thousand eight hundred and twenty eight which said day was given to the said Prudence Gough Chalmers and others to join in the errors by the said Daniel Chambers above assigned, come again into the Court of Appeals here, the parties aforesaid by their attornies aforesaid; and the said Prudence Gough Chalmers and others by their attornies 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 examination as well of the record of proceedings aforesaid, as of the matters aforesaid, by the said Daniel Chambers 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, further continued, before the Court of Appeals here, until the second Monday in June next; the same day is given to the said parties, then there to hear the judgment of the Court of Appeals here of and upon the said premises &c.

At which said second Monday in June being the eighth day of the said month, in the year of our Lord one thousand eight hundred and twenty nine come again into the Court of Appeals here the said Prudence Gough Chalmers and others by George Winchester and Charles F. Mayer their attornies, and the said Daniel Chambers doth not come: and the said Prudence Gough Chalmers and others by their attornies suggests to the Court here that since the last continuance of this cause, that is to say, on the first Monday in December last past and before this day the said Daniel Chambers the appellant in this cause departed this life, and the same is not denied. Thereupon a certain Daniel Chambers, Elizabeth Cassel and Jane Chambers, executors of the last will and testament of the said Daniel Chambers appear in Court here to prosecute this appeal. But because the Court of Appeals are not yet advised what judgment to give of and upon the premises, a day therefore is further given to the parties