it cost Stockton. Then indeed Davis and wife whether or not they have money can entitle to redeem or claim it to advantage; provided it can be so redeemed or claimed. Well: the purchaser from Stockton or the purchaser from that purchaser or the purchaser from the 2d purchaser is obliged on Davis's application to convey him the property on his paying Hs It is really an affront to common sense, to say that Davis's claim ought to prevail.

The Chancellor has given his ideas at large. He might refer to decisions of the High Court of Appeals which if there be a judgment to be formed from decrees the reasons of which are not assigned is more strict with respect to agreements set up against the intent of the statute of frauds than the Chancellor has ever seen.

The Chancellor indeed has always thought that it would have been much better to construe the said statute strictly against contracts. However he has always endeavoured to conform to decisions which on any principle might be considered as binding on him. He has never intentionally decided against any decree of the lord Chancellor of England made before the revolution or even any decision of Chancellor Rogers which hath not been controverted unless on a bill of review as to the present case he is satisfied that by decreeing a dismission of the bill he will contravene the principle of no decision in Equity which ever hath been given.

It is thereupon this fifteenth day of January Eighteen hundred and five by the Chancellor and the authority of this Court Adjudged ordered and decreed that the bill of the Complainants William Davis and wife be dismissed and the Defendants be dismissed but without costs.

A. C. Hanson Chancr

and the aforesaid William Davis and wife by their attorneys Luther Martin and Samuel Chase Esquires at February Court Eighteen hundred and five prays an appeal from the decree aforesaid rendered to the High Court of Appeals which is granted accordingly and the proceedings ordered to be transmitted

Maryland &c. In testimony that the aforegoing is a true copy from the record of proceedings of the State of Maryland High Court of Chancery - I have hereto affixed the great seal of said state this twenty fifth day of May Eighteen hundred and five

Samuel H. Howard Reg. Cur. Can

And at the said day to wit the said second Tuesday of June being the seventh day of the said month in the year of our Lord one thousand eight hundred and five aforesaid came into the said Court of Appeals at the city of Annapolis

aforesaid

as were the said William Davis and Mary his wife by Luther Martin and Samuel Chase Junior their attorneys as the said Robert Walsh by Robert Goodloe Harper his attorney and thereupon on motion of the said Robert Walsh by his attorney aforesaid it was ordered by the said Court of Appeals that the said William Davis and Mary his wife assign the errors in the record of proceedings of the decree aforesaid brought before the said Court of Appeals for correcting the errors supposed to be therein on Judgment by the said Court would be entered against them in default thereof; whereupon the said William Davis and Mary his wife by their attorneys aforesaid pray that a day might be given them for the assignment of errors of and upon the record of proceedings of the decree aforesaid until the next Court and to them it was granted the same day was given to the said Robert Walsh also;

At which said next Court to wit the second monday of November being the eleventh day of the said month in the year of our Lord one thousand eight hundred and five which said day was given to the said William Davis and Mary his wife for the assignment of errors of and upon the premises came again into the said Court of Appeals at the City of Annapolis aforesaid the parties aforesaid by their attorneys aforesaid: and the said William Davis and Mary his wife by their attorneys aforesaid said that in the record of proceedings aforesaid as also in rendering the decree aforesaid it was manifestly erred in this that is to say that by the record aforesaid it appeared that the decree aforesaid in form aforesaid given was given for the said Robert Walsh against them the said William Davis and Mary his wife when by the law of the land and in equity and good conscience that decree ought to have been given for them the said William Davis and Mary his wife against the said Robert Walsh therefore in that it was manifestly erred and they prayed that the decree aforesaid for that and other errors in the record of proceedings aforesaid being might be revoked annulled and held entirely as void and that they the said William Davis and Mary his wife to all which they by occasion of the decree aforesaid had lost might be restored Hs And the said Robert Walsh by his attorney aforesaid said that neither in the record of proceedings aforesaid or in rendering the decree aforesaid it was in any wise erred and therefore prayed that the said decree might in all things be affirmed Hs And thereupon the said parties by their attorneys aforesaid prayed that the said Court of Appeals would proceed as well to the examination of the record of proceedings aforesaid as of the matters aforesaid above for errors assigned: But because the said Court of Appeals were not advised to give their Judgment of and upon the premises day therefore was given to the parties aforesaid before the said Court of Appeals until the second Tuesday of June then next to hear their Judgment

of.