make a valid Will and testament Whereupon it is further adjudged and decreed by this court and by the authority of the same that the said Instrument of writing mentioned in the bill and answer aforesaid purporting to be the last will and testament of the said Philip Nicholls is not proved according to law and that the said will cannot be admitted to be recorded in this court— And thereupon the said Edward Hazel by his attornies aforesaid prays that he may appeal from the Decree and Judgment aforesaid of the court here so as aforesaid rendered to the high court of appeals and to him the same is granted by the court here and it is thereupon ordered by the court here that a record of the proceedings aforesaid with all things thereunto relating be transmitted to the high court of Appeals of the state of Maryland and the same are transmitted to the said court accordingly—

Test. Trueman Tyler Regr.—

Prince George's County sct.

I hereby certify that the aforegoing is a true copy taken from the record of proceedings of the orphans court of Prince George's County—

In Testimony whereof, to the exemplification, I hereunto subscribe my name and affix the seal of the said Orphans Court this sixth day of August in the year of our Lord eighteen hundred and seven and of the Independance of the united states of America the thirty second.—

(Seals Place)

Trueman Tyler Register of Wills
for Prince George's County—

And now come into the court of Appeals here as well the said Edward Hazel executor as aforesaid by Thomas Buchanan and John Golder his attornies, as the said Jacob Dicus one of the heirs at Law as aforesaid by Philip Barton Key and Archibald Van Horn his attornies, and thereupon on motion of the said Jacob Dicus by his attorneys aforesaid it is ruled by the court here that the said Edward Hazel Executor as aforesaid assign the errors in the record of proceedings of the Decree aforesaid brought before the court here for correcting errors to be therein or Judgment by the court here will be entered against him in default thereof; and the said Edward Hazel Executor as aforesaid by his attornies aforesaid says that the record of proceedings aforesaid as also in rendering the Decree aforesaid it is manifestly in this that is to say, that by the record of proceedings aforesaid it appears that the Decree aforesaid in form aforesaid given, was, that the said instrument of writing purporting to be the last will and testament of the said Philip Nicholls was not (proved)

proved according to Law and could not be admitted to be recorded when by the Law of the land that Decree ought to have been that the said will was duly proved according to law and should be admitted to be recorded &c.

Therefore in this it is manifestly erred and he prays that the Decree aforesaid for this and other errors in the record of proceedings aforesaid being may be revoked annulled and held for nought and that he the said Edward Hazel executor as aforesaid to all which he by occasion of the decree aforesaid hath lost may be restored &c. and he prays that the said Jacob Dicus may rejoin to the errors aforesaid and soforth. And thereupon it is ruled by the court here that the said Jacob Dicus join in the errors by the said Edward Hazel executor as aforesaid, above assigned in the record of the proceedings of the decree aforesaid, or Judgment by the court here will be rendered against him in default thereof.

And the said Jacob Dicus by his attornies aforesaid prays that a day may be given him to join in the errors by the said Edward Hazel Executor as aforesaid, above assigned in record of proceedings aforesaid until the third monday in June next and to him it is granted the same day is also given to the said Edward Hazel Executor as aforesaid &c.

At which said third monday in June being the twentieth day of the said month in the year of our Lord one thousand eight hundred and eight which said day was given to the said Jacob Dicus to join in the errors aforesaid by the said Edward Hazel executor as aforesaid above assigned, come again into the court of Appeals here the parties aforesaid by their attornies aforesaid and the said Jacob Dicus by his attorney's aforesaid says that neither in the record of proceedings, nor in rendering the decree aforesaid it is any wise erred, and he prays that the Court of Appeals here may proceed to examine as well the record of proceedings aforesaid as the matters aforesaid above assigned for error. and that the decree aforesaid in form aforesaid given may be in all things affirmed and soforth. But because the court of Appeals here are not advised what Judgment to give of and upon the premises a day is therefore given to the parties aforesaid, before the Court here until the third monday in December next to hear their Judgment of and upon the premesies for that the court now here thereof are not advised and soforth.—

At which said third monday in December being the nineteenth day of the said month in the year of our Lord one thousand eight hundred and eight, come again into the Court of Appeals here the parties aforesaid by their attornies aforesaid.

But because the court here are not yet advised what judgment to give of and upon the premises a day is therefore further given to the parties aforesaid with the consent of the said parties by their attornies aforesaid before the court here until the third monday in June next to hear Judgment of and the premises for that the

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