Whereupon the defendants aforesaid by their attorneys aforesaid pray an appeal from the decree and judgment of the court here so as aforesaid given and rendered, to the Court of Appeals for the Western shore and to them it is granted.

Whereupon it is ordered by the court here that a record of the proceedings aforesaid with all things thereunto relating be transmitted to the Court of Appeals for the Western shore to be held at the city of Annapolis in June next, and they are transmitted accordingly.

Test Jno Gassaway Reg Wills aacoty.

Maryland Anne Arundel County sct.

I hereby certify that the foregoing is truly taken from the Record and proceedings of the orphans Court of Anne arundel county.

In Testimony whereof I hereunto subscribe my name and affix the seal of the said orphans Court this nineteenth day of May in the year of our Lord one thousand eight hundred and eighteen.

(Seal)

Jno Gassaway Reg Wills Ann Arl Coty.

And now come into the court of appeals here, as well the said appellants by William H Winder, Henry A Chapman and William A Marriott their attorneys, as the said Sarah Clements the appellee by William Pinkney, Roger B Taney, Alexander Contee Hagner and John Stephen her attorneys; and thereupon on motion of the said Sarah Clements by her attorneys aforesaid, it is ruled by the court here, that the said appellants assign the errors in the record of proceedings aforesaid, or in 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 them in default thereof; and the said appellants by their attorneys aforesaid, say, that in the record of proceedings aforesaid, and also in the giving the decree aforesaid, there is manifest error in this, to wit, that by the record aforesaid it appears that the decree aforesaid given, was given for the said Sarah Clements against the said appellants when by the law of the land that decree ought to have been given for the said appellants against the said Sarah Clements therefore in that there is a 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 appellants may be

restored to all things which they have lost by occasion of the said decree and that the said Sarah Clements may rejoin to the errors aforesaid, and so forth; and thereupon it is ruled by the Court of appeals here, that the said Sarah Clements join in the errors by the said appellants above assigned in the record of proceedings aforesaid or judgment by the Court of appeals here will be rendered against her in default thereof. And the said Sarah Clements by her attorneys aforesaid, prays that a day may be given to her to join in the errors by the said appellants above assigned in the records of proceedings aforesaid, until the first monday in December next, and to her it is granted; the same day is also given to the said appellants.

At which said first monday in December being the seventh day of the said month, in the year of our Lord one thousand eight hundred and eighteen which said day was given to the said Sarah Clements to join in the errors by the said appellants above assigned, come again into the Court of Appeals here, the parties aforesaid, by their attornies aforesaid; and the said Sarah Clements by her attorneys aforesaid, says there is no error in the record of proceedings aforesaid nor in the giving of the decree aforesaid, and she 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 appellants above for error assigned and that the said decree may be in all things affirmed, and so forth. But because the Court of Appeals here are not advised what judgment to give of and upon the premises, day therefore is given to the parties aforesaid, before the Court of appeals here, until the second monday in June next, to hear the judgment of the Court of appeals here of and upon the premises, for that the Court of appeals now here, thereof are not advised, and so forth.

And now at this day, to wit, the said second monday in June being the fourteenth day of the said month, in the year of our Lord one thousand eight hundred and nineteen come again into the Court of appeals here the parties aforesaid by their attornies aforesaid. Whereupon as well the record and proceedings aforesaid, and the decree given in form aforesaid, as the matters aforesaid by the said appellants above for error assigned, being seen, and by the Court of Appeals here fully understood, and mature deliberation thereupon had; for