Richard S Coxe and Alexander C Magruder its attornies, as the said Baltimore and Ohio Rail Road company by Roger B Taney, Daniel Webster, William Gwynn, Reverdy Johnson, John H B Latrobe and John V L McMahon its attornies: and the said Chesapeake and Ohio canal company by its attornies aforesaid files in court here a memorial in the words and of the tenor following to wit: (see memorial bound up with the record) And thereupon it is ruled by the court here that the said Chesapeake and Ohio Canal company 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 it in default thereof: And the said Chesapeake and Ohio canal company by its attornies 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 plea aforesaid given, was given for the said Baltimore and Ohio Rail Road company against the said Chesapeake and Ohio canal company whereby the law of the land that decree ought to have been given for the said Chesapeake and Ohio canal company against the said Baltimore and Ohio Rail Road company, therefore in that there is manifest error, and it 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 they the said Chesapeake and Ohio canal company may be restored to all things which they have lost by occasion of the said decree and that the said Baltimore and Ohio Rail Road company may rejoin to the errors aforesaid and so forth: And thereupon it is ruled by the court of Appeals here, that the said Baltimore and Ohio Rail Road company join in the errors by the said Chesapeake and Ohio canal company above assigned in the record of proceedings aforesaid at the present term or judgment by the court of appeals here will be rendered against them in default thereof. And the said Baltimore and Ohio Rail Road company, by its attornies aforesaid, says there is no error in the record of proceedings aforesaid, nor in the giving of the decree aforesaid, and it 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 Chesapeake and Ohio canal company above for error assigned, and that the said decree may be in all things affirmed and so forth. And now at this day to wit, the day and year first above mentioned, come into the court of Appeals here, as well the said Chesapeake and Ohio canal company by Walter Jones, William

Pirt, Richard S Coxe and Alexander C Magruder its attornies as also the said Baltimore and Ohio Rail Road company by Roger B Taney, Daniel Webster, William Gwynn, Reverdy Johnson, John H B Latrobe and John V L McMahon its attornies. Whereupon as well the record and proceedings aforesaid, and the decree given in form aforesaid, as the matters aforesaid, by the said Chesapeake and Ohio canal company above for error assigned, being seen and by the court of Appeals here fully understood, and mature deliberation thereupon had; for that it appears to the court of Appeals here that there is error in the record of proceedings aforesaid, and in the giving of the decree aforesaid: Therefore the court of Appeals proceeded to pass such decree as the court of Chancery ought to have passed.

This cause having been argued by counsel, the bill, answers and proof have been read and duly considered by the court, and for as much as it appears to this court that there is error in the decree of the Chancellor, and that the defendants in error are not entitled to relief.

It is therefore this fourth day of January in the year eighteen hundred and thirty two by the High court of Appeals for the Western shore of Maryland, adjudged ordered and decreed, that the decree of the Chancellor be reversed, and the several injunctions heretofore issued in this cause be dissolved. It is also ordered and adjudged that the several bills of complaint in this cause filed, be and the same are hereby dismissed, and that the defendant in error pay to the plaintiff in error all costs incurred by the latter in this court and in the court of Chancery.

Test

John Johnson Clk.

Leonard Watson
vs
Thomas Mundell.

Be it remembered, that now here on the second Monday in June being the fourteenth day of the said month, in the year of our Lord one thousand eight hundred and thirty, the Chief Judge and Associate Judges of the first Judicial District of Maryland, in pursuance of the directions of the act of Assembly in such case made and provided, transmit to the court of Appeals here the record of proceedings of a certain cause which was lately depending before them in the county Court of Prince Georges sitting as a court of Equity, between Thomas Mundell complainant, and Leonard Watson defendant, and wherein the said county court sitting as aforesaid, passed a decree for the said Thomas Mundell against the said Leonard Watson and from which said decree the said Leonard Watson appealed to the court of appeals here, the tenor of which said record of proceedings is in form following to wit:

State of Maryland, Prince Georges county set.

At a County court of the first Judicial District of the State of