the year last aforesaid, appear here again in the said Orphans Court the parties aforesaid by their Proctors aforesaid, and the said Richard Eaton and John McTavish by John Glenn Esquire one of their Proctors aforesaid exhibit and file here in the said Orphans Court a certain paper writing, wherein they pray an appeal from the said order and decree of the Orphans Court passed on the twenty fifth day of February in the year eighteen hundred and thirty three aforesaid, and which said paper writing so filed by the said Richard Eaton and John McTavish by their Proctor as aforesaid is in the words and figures following to wit.

Richard Eaton and John McTavish Executors named in the will of Charles Carroll of Landlton come into the Orphans Court for Baltimore County this 27th day of February 1833 and pray an appeal from the order and decree of the said Court passed on the twenty fifth Feby. 1833 in the case of the Caveat filed in said Court by Harriet Carroll.

John Glenn for the Exors.

And thereupon it was ordered by the said Orphans Court that the appeal so prayed by the said Richard Eaton and John McTavish from the said order and decree of the said Orphans Court as aforesaid, be and the same is granted them, to the Court of Appeals of the State of Maryland for the Western Shore of the said State, to be held in the City of Annapolis on the second Monday of June in the year Eighteen hundred and thirty three.

And afterwards to wit, on the ninth day of March in the year last aforesaid appear here again in the said Orphans Court the said Richard Eaton and John McTavish by David Hoffman Esquire one of their Proctors aforesaid and exhibit and file here in the said Orphans Court a certain other paper writing wherein among other things they pray an appeal from the order and decree of the said Orphans Court passed on the eleventh day of February in the year Eighteen hundred and thirty three aforesaid, and which said paper writing, so filed by the said Richard Eaton and John McTavish by their Proctor aforesaid is in the words and figures following to wit.

Richard Eaton and John McTavish Executors named in the Will of Charles Carroll of Landlton now come into the Orphans Court for Baltimore County on this ninth day of March 1833 and pray an appeal from the order and decree of the said Court passed on the 11th day of February 1833 denying to the said Executors probate of the will and two codicils thereto of their said testator by reason of the existence of a Caveat filed in said Court against the last codicil to said will.

David Hoffman for the Executors.

And thereupon it was ordered by the said Orphans Court that the appeal so prayed by the said Richard Eaton and John McTavish

from the said order and decree of the said Orphans Court be and the same is also granted them to the said Court of Appeals of the State of Maryland for the Western Shore of the said State to be held in the City of Annapolis on the second Monday of June in the year last aforesaid. It is therefore ordered and decreed that the record and proceedings aforesaid in the cause aforesaid with all things relating to the premises aforesaid be transmitted to the said Court of Appeals of the State of Maryland for the Western Shore of the State of Maryland to be held in the City of Annapolis as aforesaid, and the same is transmitted accordingly.

In Testimony that the aforegoing is a true copy taken from the record of the proceedings of the Orphans Court for Baltimore County in the above mentioned cause. I hereunto subscribe my name and affix the seal of the Orphans Court for Baltimore County on this ninth day of March in the year of our Lord one thousand eight hundred and thirty three.

(Seal)

Test. D. M. Perine Register of Wills
for Baltimore County.

And now come into the Court of Appeals here as well the said Richard Eaton and John McTavish Executors of Charles Carroll of Landlton by David Hoffman, John Glenn, Roger B. Taney and Frederick A. Schley their attornies as the said Harriet Carroll by Jonathan Meredith, Reverdy Johnson, Josiah Pennington and Joseph H. Speed her attornies, and thereupon on motion of the said Harriet Carroll by her attorneys aforesaid, it is ruled by the Court here that the said Richard Eaton and John McTavish Executors as aforesaid 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 them in default thereof. And the said Richard Eaton and John McTavish Executors as aforesaid by their attornies aforesaid say 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 Harriet Carroll against the said Richard Eaton and John McTavish Executors as aforesaid when by the Law of the Land that decree ought to have been given for the said Richard Eaton and John McTavish Executors as aforesaid against the said Harriet Carroll, therefore in that there is 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 Richard Eaton and John McTavish Executors as aforesaid may be restored to all things which they have lost by occasion of the said decree, and that the said Harriet Carroll may