that he did see the Testator therein named sign & seal this will that at the time of his signing he was to the best of his apprehension of sound and disposing mind, memory & understanding & that he with Alexander Smith and Wm Queen respectively subscribed their names as witnesses to the within will in the presence of the Testator

A. Barnes Regr of wills

Charles County sct. November 4th 1828 - Then came William Queen one of the subscribing witnesses to the within last will & testament of Reubenia Dyer late of Charles County decd & made oath on the Holy Evangelys of Almighty God, that he did see the Testator therein named sign and seal this will, & that he with James Reaves & Alexander Smith the other subscribing witnesses respectively subscribed their names as witnesses to the will in the presence and at the request of the Testator and in the presence of each other.

Test A. Barnes Regr of wills for Charles County

State of Maryland Charles County sct.

I hereby certify that the aforegoing will or instrument of writing with the probate thereon, is truly copied from the original filed in this office of Register of Wills for Charles County.

In Testimony whereof I have hereunto subscribed my name and affixed the seal of Charles County Orphans Court this twenty first day of September in the year of our Lord one thousand eight hundred & thirty four.

Seal of the Orphans Court of Charles County

Henry Beanes Regr Wills for Charles County.

And because that the Court after the argument of Counsel wish to advise as their judgment and decree in said case, the same is further postponed till to-morrow the Twelfth of September Inst. on which said 12th day of Sept. Eighteen hundred & thirty four, came as well the said Henry L. Mudd & Sarah Ann his wife, by their Counsel aforesaid, as the said Thos B. Dyer Alex. Dyer, Theodore Mudd & wife, Marcham Porling & wife, Augustus Burch & wife, and Ann P. Gardner by their Counsel Aforesaid when the Court pronounced and filed their decree in words as follows, to wit.

Henry L. Mudd and Sarah Ann his wife,
vs
Thomas B. Dyer Alexander Dyer
Theodore Mudd and wife
Marcham Porlin & wife
Augustus Burch & wife
And Ann P. Gardner

In the orphans Court of Charles County
Decree

this case standing ready for a hearing & the Court having read & examined the papers and evidence and heard the argument of Counsel and having fully & maturely considered the same are of opinion, and do hereby order & adjudge and decree that the paper or instrument of writing heretofore filed & recorded at this office and as for the last will & testament of Jeremiah Dyer Dec^d and now Exhibited bearing date the 8th day of September in the year of our Lord one thousand eight hundred & twenty three is not of any effect force or validity in Law & that the said Jeremiah Dyer, died intestate to all and legal intents & purposes whatsoever, and the Court do further decree, that the Caveallee or defendants in this case pay to the Caveallee Henry L. Mudd

Henry L. Mudd, and Sarah Ann his wife, their legal costs & charges by them in this behalf sustained,

Given under our hands this 16th day of September in the year of our Lord one thousand eight hundred and thirty four

Jno Ferguson
Geo. Plent.
Alexandive Mathews,

From which said judgment and decree the said Thomas B. Dyer Alex. Dyer Theodore Mudd and wife, Marcham Porling and wife, Augustus Burch & wife, and Ann P. Gardner by their attorney aforesaid pray an appeal to the High Court of Appeals of the State of Maryland and it is granted them accordingly. And it is therefore ordered by the Court and a transcript of the proceedings in this case with every matter relating thereto be transmitted to the High Court of Appeals of said State. and the same are hereby transmitted accordingly -

Test Henry Beanes Regr wills for Charles County

Maryland Charles County sct.

I hereby certify that the foregoing is a true copy from the proceedings in the orphans Court of Charles County in the case of Henry L. Mudd and wife against Thomas B. Dyer, Alexander Dyer, Theodore Mudd & wife, Marcham Porling & wife, Augustus Burch & wife, and Ann P. Gardner

In Testimony whereof I have hereunto subscribed my name and affixed the seal of said Court this seventeenth day of November in the year of our Lord one thousand Eight hundred & thirty four.

Seal

Henry Beanes Regr wills for Charles County

And now come into the Court of Appeals here, as well the said Thos B. Dyer & others by William D. Merrick their attorney, as the said Henry L. Mudd & Sarah Ann his wife, by Nicholas Stonestreet their attorney - and thereupon on motion of the said Henry L. Mudd & Sarah his wife by their attorney aforesaid, it is ordered by the Court here That the said Thomas B. Dyer & others 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 Thomas B. Dyer and others by their attorney 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 Henry L. Mudd & Sarah his wife, against the said Thomas B. Dyer & others, when by the Law of the land that Decree ought to have been given for the said Thomas B. Dyer & others against the said Henry L. Mudd & Sarah Ann his wife, 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 Th. B. Dyer and others may be restored to all things which they have lost by occasion of the said decree, and that the said Henry L. Mudd & Sarah Ann his wife may rejoin to the errors aforesaid, and be fortho. And thereupon it is -