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record. And afterwards to wit, on the 24th day of July 1839 the defendants Charles Howard and Robert S. Hollins filed in the said cause their answer as follows:

To the Honourable Theodorick Bland Chancellor of Maryland. The joint and separate answer of Charles Howard President and Robert S. Hollins Secretary to the Baltimore and Susquehanna Rail Road Company to the bill lately filed against them and others in this Honourable Court by Ann Lockey and Thomas Dye Lockey of Baltimore County. These respondents for their answer to said bill refer to the answer thereto of their co-defendant the Baltimore and Susquehanna Rail Road Company and pray that the same (being by such reference incorporated herein) may be deemed and taken mutatis mutandis to be their answer to said bill.-

J. Mason Campbell, Solr. for respondent.-

On this twenty second day of June 1839 before me the subscriber a justice of the peace of the State of Maryland in and for the City of Baltimore personally appeared Charles Howard and Robert S. Hollins and made oath that the matters and things stated in the aforegoing answer and that to which it refers are true to the best of their knowledge information and belief. Sworn to before

J. Walsh.-

And afterwards to wit, on the seventh day of August 1839 the defendant Isaac Trimble filed in the said cause his answer as follows:

To the Honorable Theodorick Bland Chancellor of Maryland. The separate answer of Isaac Trimble Chief Engineer of the Baltimore and Susquehanna Rail Road Company to the bill of complaint lately filed against him and others in this Honorable Court by Ann Lockey and Thomas Dye Lockey of Baltimore County. This respondent refers to the separate answer of the Baltimore and Susquehanna Rail Road Company by his Condefendant to the same bill of complaint and prays that the same mutatis mutandis may be deemed and taken to be his answer to said bill.-

J. Mason Campbell, Solr. for Respt.-

On this fifth day of August 1839 before me the subscriber a justice of the peace of the State of Maryland in and for the City of Baltimore personally appeared Isaac Trimble and made oath that the facts stated in the aforegoing answer and that to which it refers are true to the best of his knowledge information and belief. Sworn before.

Truthus Stopp.-

And afterwards to wit on the same day and year aforesaid the Chancellor passed in the said cause the following order.-

Thomas Dye Lockey and Ann Lockey.-
vs.
The Baltimore and Susquehanna Rail Road Company and others.-

In Chancery 7th August 1839.- The defendants having filed their answers and entered on the docket notice of motion to dissolve Injunction. It is thereupon adjudged and ordered that the said motion stand for hearing at the next term, provided a copy of this order be served on the complainants or their solicitor before the 10th day of September next.-

Theodorick Bland, Ch.

And afterwards, to wit on the 23d day of October 1840 was filed in the said cause an agreement in the words following.-

Lockey vs. Baltimore and Susquehanna Rail Road Company.-

In Chancery.- It is agreed between the parties to this cause that the evidence and all agreements filed in the cause in this Court depending

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between the Baltimore and Susquehanna Rail Road Company and Anne and Thomas Lockey shall be considered as applicable to this cause and be read on the hearing accordingly. It is further agreed that this cause and the one above mentioned shall be considered as one and be so argued and submitted to the Chancellor.

John Scott, Solr. for Lockey.
J. Mason Campbell, Solr. for defts.

And afterwards to wit on the 13th day of February 1841 the Chancellor passed in the said cause his decree as follows.

The Baltimore and Susquehanna Rail Road Company.-
vs.
Ann Lockey and Thomas Dye Lockey.- And
Ann Lockey and Thomas Dye Lockey.-
vs.
The Baltimore and Susquehanna Rail Road Company Charles Howard Isaac Trimble and Robert S. Hollins.-

In Chancery December Term 1841.- These causes standing ready for hearing and having been consolidated by agreement of the parties. The solicitors of the parties were heard in both at the same time and the proceedings read and considered. It is thereupon this thirteenth day of February 1841 by Theodorick Bland, Chancellor and by the authority of this Court adjudged ordered and decreed that the said Anne Lockey and Thomas D. Lockey by a good and sufficient deed or deeds to be executed and acknowledged according to law and delivered to the said Baltimore and Susquehanna Rail Road Company do assure and convey to the said Baltimore and Susquehanna Rail Road Company so much of their tract or parcel of land lying in Baltimore County and mentioned in the proceedings as is used and occupied for the Seite of the rail road constructed thereon by the same Company. And it is further adjudged ordered and decreed that the said Ann Lockey and Thomas D. Lockey be and they are hereby perpetually enjoined from touching taking removing carrying away or in any wise interfering with the rock or stone excavated upon the said tract or parcel of land by the said Baltimore and Susquehanna Rail Road Company in order to obtain the Seite of its said rail road.- And it is further adjudged ordered and decreed that the bill of the said Ann Lockey and Thomas D. Lockey be and the same is hereby dismissed and the injunction heretofore granted on the same be dissolved and that they do pay to the said Baltimore and Susquehanna Rail Road Company its costs in both these causes to be taxed by the Register.-

Theodorick Bland, Ch.

The Baltimore and Susquehanna Rail Road Company.-
vs.
Ann Lockey and Thomas D. Lockey.-
And the said Lockeys
vs.
The said Company.-

In Chancery 13th February 1841.- The said decree of this day in these cases having been passed upon oral argument this Court doth therefore according to the act of Assembly in such case made and provided set down and file the following opinion for or in respect of the said decree. It is the opinion of this Court that the Baltimore and Susquehanna Rail Road Company have acquired a good and sufficient title to the property in the proceedings mentioned according to the true intent and meaning of the act of Assembly whereby they were incorporated.-

Theodorick Bland, Ch.

From which said decree the defendants prayed an appeal to the next Court