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in the error by the said George Troxell George Wolf and wife and others above assigned in the record of proceedings aforesaid until the second Monday in June next; and to them it is granted; the same day is also given to the said George Troxell George Wolf and wife and others. At which said second Monday in June being the thirteenth day of the said month in the year of our Lord one thousand eight hundred and forty two which said day was given to the said John Troxell of John, Joshua Motter and others to join in the errors by the said George Troxell George Wolf and wife and others above assigned, come again into the Court of Appeals here, the parties aforesaid by their attorneys aforesaid; and the said John Troxell of John Joshua Motter and others by their attorney aforesaid say there is no error in the record of proceedings aforesaid, nor in the giving of the decree aforesaid and they pray that the Court of Appeals here, will proceed to the examination as well of the records of proceedings aforesaid as of the matters aforesaid by the said George Troxell George Wolf and wife and others above for error assigned, and that the said decree may be in all things affirmed and so forth: thereupon further process of and upon the premises, between the parties aforesaid is by virtue of an act of Assembly in such case made and provided, further continued before the Court of Appeals here, until the first Monday in December next; the same day is given to the said parties there, then to hear the judgment of the Court of Appeals here, of and upon the said premises, and so forth: and now at this day to wit, the said first Monday in December being the fifth day of the said month, in the year of our Lord one thousand eight hundred and forty two come again into the Court of Appeals here the parties aforesaid by their attorneys aforesaid - Whereupon as well the record and proceedings aforesaid and the decree given in form aforesaid as the matters aforesaid by the said George Troxell George Wolf and wife and others 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 no error in the record of proceedings aforesaid nor in the giving of the decree aforesaid. Therefore it is considered by the Court of Appeals here that the decree aforesaid given in form aforesaid, be in all things affirmed and stand in full force and effect, the said causes for error above assigned and alleged in anywise notwithstanding: and it is further considered by the Court of Appeals here that the said John Troxell of John Joshua Motter and others have execution against the said George Troxell, George Wolf and wife and others as well for the costs and charges aforesaid adjudged unto them in the said County Court of Frederick sitting as a Court of Equity as also the sum of seventy four Dollars eighty nine cents adjudged unto the said John Troxell of John Joshua Motter and others by the Court of Appeals here, on their arrest for their costs and charges which they had sustained by occasion of the delay of the execution of the decree aforesaid by pretext of the prosecution of the said appeal by the said George Troxell, George Wolf and wife and others for the correcting of errors of and upon the premises as aforesaid prosecuted &c.

Test, Richard W. Gill. Clerk.

Thomas Beard and Caroline his wife. vs Thomas B. Fenley.

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 forty one the Chancellor 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 cause which

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was lately depending before him in the Court of Chancery between Thomas Beard and Caroline his wife complainants and Thomas B. Fenley defendant and wherein the said Court of Chancery passed a decree for the said Thomas B. Fenley against the said Thomas Beard and Caroline his wife and from which said decree the said Thomas Beard and Caroline his wife appealed to the Court of Appeals here, the tenor of which said record of proceedings is in form following to wit:

Maryland Set. At a Court of Chancery for the State of Maryland begun and held at the City of Annapolis on the fourth Tuesday of September in the year of our Lord one thousand eight hundred and forty one.

Present - The Honorable Theodorick Bland, Chancellor.
Louis Gassaway Register.

Were had (among other) the following proceedings:

Thomas Beard and Caroline his wife - vs. Thomas B. Fenley -

Be it remembered that heretofore to wit, on the second day of September in the year of our Lord one thousand eight hundred and forty came Thomas Beard and Caroline his wife by Clark & Magruder Esquire their solicitor into the Court of Chancery of the State of Maryland and exhibited in said Court their bill of complaint against Thomas B. Fenley in the words following to wit.

To the Honorable Theodorick Bland, Chancellor of Maryland - Humbly complaining shew unto your Honor your orators Thomas Beard and Caroline his wife of Prince Georges County - That your oratrix Caroline sometime in the year eighteen hundred and twenty seven intermarried with a certain Charles G. Fenley now deceased who at that time was worth nothing of consequence and possessed himself of all the property to which your oratrix was entitled consisting of two tracts or parcels of land and several negro slaves which was devised to her by a maiden aunt that the said Charles G. Fenley at the time of his intermarriage with your oratrix was entitled to and possessed of no property except an old negro man named Sandy and mentioned in a bill of sale hereinafter referred to and prayed to be taken and considered a part of this bill of complaint marked exhibit C. that the said Charles G. Fenley from his dissipated habits and his consequent inattention to business soon became much involved and indebted that in order as he stated to relieve himself from debt he persuaded your oratrix to permit him to sell to a certain Basil Hatton a tract of land belonging to your oratrix as above stated stating that it was necessary to sell the land to save the personal property which he had acquired by your oratrix as aforesaid and promising also your oratrix that he would make a suitable provision for her out of the residue of the said property that he accordingly sold the said land to the said Basil Hatton for about one fourth its value his order to raise money the said land containing about eighty two acres more or less as appears from the deed for the same herewith filed and prayed to be considered a part of this bill marked exhibit D. that he was indebted to the said Hatton at the time of the said sale, that he received and spent the whole amount of the proceeds of the said sale except a small amount paid your orators by the said Basil Hatton. Your orator and oratrix further states that the said Charles G. Fenley sold to a certain Lizza Jones another small tract of land belonging to your oratrix and containing about fifty acres of valuable land without the consent of your oratrix, and received and spent the whole amount of the purchase money for the same that he deeded the said land to the said Lizza Jones as will