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adjudged ordered and decreed that the defendants John T. Berry and John E. Berry pay to the Complainants their costs of suit to be taxed by the Register.

Theodorick Bland, Ch.

From which said decree the defendant John E. Berry by his counsel aforesaid on the 9th day of May 1842 prayed an appeal to the next Court of Appeals to be holden for the Western Shore of Maryland and filed in the said cause an appeal Bond duly approved by the Chancellor in the words following to wit.

Know all men by these presents that we John E. Berry Allen T. Bowie and John E. Berry Junr. of Prince George's County in the State of Maryland are held and firmly bound unto Henry A. Pierson and Eleanor his wife William Edmonds and Rebecca Edmonds his wife Deborah Ularing and Priscilla Ularing or to their certain attornies executors administrators or assigns in the full and just sum of three thousand dollars current money to which payment well and truly to be made we bind ourselves our and each of our heirs executors and administrators jointly and severally firmly by these presents sealed with our seals and dated this seventh day of May eighteen hundred and forty two. Whereas by a decree of the Court of Chancery passed in a case therein between the said Henry A. Pierson and Eleanor his wife Complainants and John T. Berry and others defendants the said John E. Berry was directed to pay or to bring into the said Court to be paid to the said Henry A. Pierson and Eleanor his wife the sum of one hundred and twelve dollars and sixty four cents and three quarters with interest from the eighth day of March eighteen hundred and forty two and to pay or to bring into the said Court to be paid to the said William Edmonds and Rebecca his wife the sum of four hundred and thirty nine dollars and sixty seven cents and three quarters of a cent with interest from the eighth of March eighteen hundred and forty two and to pay or to bring into the said Court to be paid to the said Deborah Ularing the sum of four hundred and thirty nine dollars and sixty seven cents and three quarters with interest from the eighth of March eighteen hundred and forty two and to pay or to bring into the said Court to be paid to the said Priscilla Ularing the sum of three hundred and ninety six dollars and seventy five cents and three fourths of a cent with interest from the eighth of March eighteen hundred and forty two together with the costs of suit to the said Complainants to be paid by the said John T. Berry and the said John E. Berry, and whereas the said John E. Berry is about to appeal from the said Decree to the next Court of Appeals for the Western Shore. Now the condition of the above obligation is such that if the above bound John E. Berry shall not cause a transcript of the record and proceedings of the said decree to be transmitted to the said Court of Appeals within the time required by law and prosecute the same writ with effect and also satisfy and pay unto the said Henry A. Pierson and Eleanor his wife William Edmonds and Rebecca his wife Deborah Ularing and Priscilla Ularing their respective executors administrators or assigns in case the said Decree shall be affirmed, as well all and singular the debt damages and costs respectively decreed to them by the Chancery Court as aforesaid to be paid by the said John E. Berry, as also all costs and damages that shall be awarded by the said Court of Appeals then this bond to be and remain in full force and virtue in law otherwise of no effect.

Signed sealed and delivered in the presence of William U. Hill.

John E. Berry (Seal)
Allen T. Bowie (Seal)
John E. Berry Junr. (Seal)

I hereby certify that the sureties to the above bond are good and sufficient for the amount of the penalty thereof.

J. B. Bell, J. Peace.

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And the said appeal was granted and the proceedings were ordered to be transmitted and the same are hereby transmitted accordingly.

Maryland Sct. I hereby certify that the aforegoing is a true copy from the original proceedings in the said cause now remaining in the Court of Chancery of the said State. In Testimony whereof I have hereto set my hand and affixed the Great seal of the said State this twenty first day of June in the year of our Lord one thousand eight hundred and forty two.

(Seal)

Louis Gassaway, Regr. Cur. Can.

Compl. costs $95.16
Defts. costs . . . . 164.59 - Cost of Transcript $36.25

And now come into the Court of Appeals here, as well the said John E. Berry by Thomas G. Pratt and R. E. Magruder his attorneys as the said Henry A. Pierson and Eleanor Pierson and wife and others by Thomas S. Alexander, John Johnson and John B. Brooke their attorneys; and thereupon, on motion of the said Henry A. Pierson and Eleanor Pierson and wife and others by their attorneys aforesaid, it is ruled by the Court here, that the said John E. Berry 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 him in default thereof.

And the said John E. Berry by his attorneys 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 cause aforesaid given, was given for the said Henry A. Pierson and Eleanor his wife and others against the said John E. Berry, when by the law of the land that decree ought to have been given for the said John E. Berry against the said Henry A. Pierson and Eleanor his wife and others therefore in that there is manifest error, and he prays that the decree aforesaid for that error and others shewn in the record of proceedings aforesaid, may be reversed, annulled, and held entirely as void, and that he the said John E. Berry may be restored to all things which he hath lost by occasion of the said decree and that the said Henry A. Pierson and Eleanor Pierson his wife and others, may rejoin to the errors aforesaid and so forth.

And thereupon it is ruled by the Court of Appeals here, that the said Henry A. Pierson and Eleanor Pierson his wife and others join in the errors by the said John E. Berry above assigned in the record of proceedings aforesaid or judgment by the Court of Appeals here, will be rendered against them in default thereof. And the said Henry A. Pierson and Eleanor Pierson his wife and others by their attorneys aforesaid pray that a day may be given to them to join in the error by the said John E. Berry above assigned in the record of proceedings aforesaid, until the first Monday in December next, and to them it is granted; the same day is also given to the said John E. Berry - at which 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 which said day was given to the said Henry A. Pierson and Eleanor Pierson and wife and others to join in the errors by the said John E. Berry above assigned come again into the Court of Appeals here, the parties aforesaid, by their attorneys aforesaid; and the said Henry A. Pierson and Eleanor Pierson and wife and others by their attorneys aforesaid say, there is no error in the record of proceedings aforesaid, or 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 record of proceedings aforesaid, as of the matters aforesaid by the said John E.