Petition and caveat of Thompson Pegg & Mary Ann Pegg, Ann Shamp, Joseph Cain, Richard Cain, Mary Lanier & Daniel Lanier, her husband, Ann Hudnutt, John Cain of Gershom, John Cain of Daniel & Elisha Warford, filed in this Court against the probating of the paper writings purporting to be the Wills of Rachel Colvin, deceased, this Court have duly considered the said Petition & Caveat, & the answer thereto filed, together with the verdict of finding of the Jury & the proceedings had in the Circuit Court of Baltimore County, upon certain Issues in the premises heretofore made up by order of this Court, and sent to the Superior Court of Baltimore City as a Court of Law, for the trial of the same & which said Issues were transmitted by the Superior Court of City to the Circuit Court of Baltimore County (on the application of said Caveators filed in said Court) as a Court of Law most convenient under all circumstances for trying the same, & after maturely considering the same, is of the Opinion that the finding of the Jury in the premises aforesaide, ought to be confirmed & this Court being satisfied with the Verdict or finding of the Jury on all the Issues sent to the Circuit Court for Baltimore County to be tried as aforesaid. It is therefore on this sixth day of August in the Year Eighteen hundred & fifty five, ordered and decreed by the Orphans Court for Baltimore City, that the Verdict or finding of the said Jury on all the Issues mentioned in the proceedings in this cause in said Circuit Court for Baltimore County, as aforesaide, be and the same is hereby ratified & confirmed, & that the paper writing purporting to be the last Will & Testament of Rachael Colvin deceased, bearing date on the 6th day of April 1848, be & the same is hereby ordered & directed to be admitted to Probate, and that the aforesaid Petition & caveat of Thompson Pegg & others, be & the same is hereby dismissed.

James A Reid
W. B. Nelson
J. J. Crook

Test N. Hickman, Register of Wills for Baltimore City.

In Testimony that the aforegoing is a true Copy taken from "Appeals & Issues" Liber D. M. P. No 4 Folio 305 &c being one of the Records in the Office of the Register of Wills for Baltimore City.

I hereunto subscribe my name and affix the seal of my Office this sixteenth day of November in the year of our Lord Eighteen hundred and fifty seven.

(Seal place)

Test N Hickman, Register of Wills for Baltimore City.

The Defendant also offered in Evidence the following proceedings in the Superior Court of Baltimore City and in the Circuit Court of Baltimore County, and in the Court of Appeals of Maryland.

{See Agreement on page 67 infra, of this Record}

State of Maryland Sct

At a Court of Appeals of the State of Maryland begun and held for the said State at the City of Annapolis on the Monday of June being the fourth day of the said month, in the Year of our Lord One thousand eight hundred & fifty five, and in the year of the Independence of the United States of America, the seventy ninth

Present.

The Honorable John C Legrand, Chief Justice
John B. Eccleston
William A Fiske
John Thomson Mason } Associate Justices
William A. Spencer, Clerk.

Among other were the following proceedings, to wit:

Thompson Pegg and others vs Richard Colvin Warford

Be it remembered, That now here, on the First Monday in June being the fourth day of the said month, in the year of our Lord, One thousand eight hundred and fifty five the Judge of the Sixth Judicial Circuit 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 plea which was lately depending before him in the Circuit Court of Baltimore County between Thompson Pegg & others, plaintiffs and Richard Colvin Warford defendant, and wherein the said Circuit Court gave Judgment for the said Richard Colvin Warford against the said Thompson Pegg and others and from which said judgment the said Thompson Pegg and others appealed to the Court of Appeals here the tenor of which said record of proceedings is in form following to wit: State of Maryland, Baltimore County, to Wit, At a Circuit Court of the Sixth Judicial District of the State of Maryland begun and held at the Court House in the City of Baltimore for the County aforesaid, on the Fourth Monday in December being the Twenty seventh day of the same month in the year of our Lord one thousand eight hundred and fifty four.

Present

The Honorable Albert Constable, Judge.
Pleasant Hunter Esq. Sheriff. Henry M. Fitzhugh, Clerk.

Among other were the following proceedings, to wit:

Thompson Pegg, Mary Ann Pegg, Ann Shamp, Joseph Cain, Rachel Cain, Mary Lanier & Daniel Lanier, Ann Hudnut, John Cain (of Gershom) John Cain (of Daniel) and Elisha Warford Plaintiffs

vs

Richard Colvin Warford, Defendant

Record from the Superior Court of Baltimore City.

Be it remembered that at the November Term of the Circuit Court for Baltimore County, to wit: On the fifteenth day of July in the year of our Lord Eighteen hundred and fifty three The Superior Court of Baltimore City in pursuance of the Constitution and Laws of Maryland in such case made and provided transmitted to the said Circuit Court here the following Record of issues from the Orphans Court of the City of Baltimore for trial to wit:

State of Maryland, City of Baltimore, to Wit,

At a session of the Superior Court of Baltimore City in the Sixth Judicial Circuit of the State of Maryland begun and held at the Court house in and for the City aforesaid on the second Monday in May being the ninth day of the same month in the year of our Lord one thousand eight hundred and fifty three.

Were Present.

The Honorable William Frick, Judge
John Hayes Esquire, Sheriff Edward Dorsey, Clerk

In the records of Proceedings of the said Court among other were