Surveyor of Allegany County was overruled and said testimony taken into consideration in the making of said Decision,

4th Because said Decision included the Caveat to the second Certificate for said tract called "Cairo" where neither was said second Caveat argued by Petitioners Solicitors, nor was the same ever set down for hearing —

Thomas J. McKaig &
A. Beall McKaig
Solicitors for Petitioners.

October 1. 1870.

Appeal granted as prayed
Wm R. Hayward
Comr of Land Office

Appeal Bond

Know all men by these presents that we Davison Armstrong, James D. Armstrong, and Nelson Beall of Allegany County, and State of Maryland, are held and firmly bound unto the State of Maryland, or its certain Attorney in the sum of Five Hundred Dollars, to which payment, well and truly to be made, we bind ourselves and every of us, our and every of our heirs, executors and administrators, jointly and severally, firmly by these presents, sealed with our seals and dated, this 26th day of September 1870.

Whereas by a decision of the Commissioner of the Land Office of the State of Maryland passed in a cause therein, wherein Douglas Percy and others were Caveators and the said Davison Armstrong was Caveatee two Caveats to two Certificates were ruled good and sustained,

And whereas the said Davison Armstrong is about to appeal, from the said Decision, to the next Court of Appeals, Now the condition of the above obligation is such that if the above bound Davison Armstrong shall not cause a transcript of the record and proceedings of the said Decision, to be transmitted to the Court of Appeals within the time required by Law, and prosecute the

said Appeal with effect, and also, satisfy and pay to the said parties complainants, their heirs, executors, administrators & assigns in case the said Decision shall be affirmed, as well the costs adjudged in the said Land Office, as also all costs that may be awarded by the Court of Appeals, then the said bond to remain in full force and virtue, otherwise to be of no effect.

Davison Armstrong (Seal)
J. D. Armstrong (Seal)
Nelson Beall (Seal)

I, Thomas Perry, one of the Associate Judges of the Circuit Court for Allegany County, hereby certify that I regard the above as sufficient security for five hundred dollars.

As witness my hand this 29th day of Sep. 1870.

Thomas Perry

Oct 1870. This Bond approved
Wm R. Hayward
Comr of Land Office

Land Office of Maryland.

(Seal)

I certify that the within Record is a true transcript of the Original Papers on file in this Office.

In testimony whereof I have hereunto set my hand and affixed the seal of the Land Office of Maryland, this day of December 1870.

Wm R. Hayward
Comr of Land Office.

And now Come into the Court of Appeals here, as well the said Davison Armstrong by McKaig & McKaig Esqrs his Attorneys as the said Douglas Percy et al by George A. Thruston Esq their Attorney and thereupon, on motion of the said Douglas Percy et al by their Attorney aforesaid, it is ruled by the Court here, that the said Davison Armstrong assign —