George C. M'Coull,
vs.
Robert M'Coull &
Margaret his wife
Jesse M'Coull,
Andrew Henderson,
& Eliza C. his wife
Robert A. M'Coull Junr.
Elijah Hughes &
Rebecca C. his wife
Mary Ann M'Coull &
John A. B. M'Coull,

Be it remembered, That now here on the first Monday in December being the fourth day of the said month, in the year of our Lord one thousand eight hundred and forty three 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 was lately depending before him in the Court of Chancery between Robert M'Coull & Margaret his wife & others complainants and George C. M'Coull defendant, and wherein the said Court of Chancery passed a Decree for the said Robert M'Coull & Margaret his wife & others against the said George C. M'Coull and from which said Decree the said George C. M'Coull 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 second Tuesday of March in the year of our Lord one thousand eight hundred and forty three.

Present.

The Honorable Theodorick Bland Chancellor.
Louis Gassaway Register.

Were had (among other) the following proceedings,

Robert M'Coull and
Margaret his wife
Jesse M'Coull & others,
vs.
George C. M'Coull &
William Morris,

Be it remembered that heretofore to wit on the second day of October in the year of our Lord one thousand eight hundred and forty Thomas Hell, Esquire Clerk of Baltimore County Court transmitted to the Court of Chancery of the State of Maryland and filed in said Court his certificate in the words following to wit.

In Baltimore County Court, sitting as a Court of Equity.

Robert M'Coul &
Margaret his wife
Jesse M'Coul,
Andrew Henderson
& Eliza C. his wife
Robert A. M'Coul Jr.
Elijah Hughes &
Rebecca C. his wife
Mary Ann M'Coul
& John A. B. M'Coul,
vs.
George C. M'Coul &
William Morris.

3d. September 1839 Bill and Exhibits A and X filed, 4th. September 1839 Injunction ordered on bond being filed order filed, 6th. September 1839 Petition to amend Bill filed, 11th. September 1839 affidavit of service of order filed, same day bond filed and approved, same day Injunction and subpoena issued 23d. September 1839 appearance for defendant M'Coul and his answer and exhibits G. M. C. No. 1 & 2 filed, summons and Injunction served on M'Coull 17th. September 1839, 19th. February 1840 petition of Complainants to make Wm. Morris party defendant filed, same day leave granted order filed, subpoena issued summons 17th. March 1840 James M. Campbell appears for Morris 10th. September 1840 exceptions by complai-

-nants to answer of M'Coul filed. 12 September 1840 answer of Wm. Morris and exhibits A & B. filed 25th. September 1840, suggestion and affidavit and order for removal by Complainants to High Court of Chancery filed.

Complainants Costs. — £23. 77.
Defendants, Costs. — 12. 95.

In pursuance of the suggestion and order for removal above referred to I herewith transmit to the Honorable, The High Court of Chancery of Maryland the original papers in the above mentioned cause.

In Testimony whereof I hereunto subscribe my name and affix the seal of Baltimore County Court this 26th. day of September 1840. (Seal)

Thos. Hell, Clk. Bal. Co. Ct.

And accompanying said certificate & then & there filed therewith were certain papers & proceedings thereto fore had and taken in the said County Court severally as follows.

To the Honorable The Judges of Baltimore County Court sitting in Chancery. The Bill of Complaint of Robert M'Coull and Margaret his wife, of Jesse M'Coull of Andrew Henderson and Eliza C. his wife of Robert A. M'Coull Junior of Elijah Hughes and Rebecca C. Hughes his wife of Mary Ann M'Coull and John A. B. M'Coull humbly represents.

That many years ago Robert M'Coull your complainant being the owner of a considerable leasehold property and being indebted to the house of Fridge and Morris of the City of Baltimore in order to secure the payment of that debt executed and delivered to them a mortgage of said leasehold property as by reference to said mortgage which will be produced when requested by this Honorable Court will more fully appear. That your complainant Robert being unable to pay said debt a bill in Chancery was filed to sell said property in order to pay said debt when the said Fridge and Morris became the purchasers thereof all of which will more fully appear by reference to the record of proceedings in said cause, ready to be produced when and where this Honorable Court shall direct. That the said Fridge and Morris having held said property for some time at the instance of some of these complainants a treaty was set on foot between said Fridge and Morris and George C. M'Coull, son of your orator Robert M'Coull for the purchase of said property and finally on the third day of July in the year eighteen hundred and thirty one the said George addressed a letter to said Fridge and Morris of which exhibit A, herewith filed and prayed to be taken as part of this Bill of Complaint is a copy and your complainants charge that the said Fridge and Morris agreed to the terms proposed in said letter and executed and delivered to said George a bond of conveyance for said property. And these complainants further state that in pursuance of such contract and arrangement the said George took possession of all of said property consisting of three brick and four frame dwellings, renting for upwards of four hundred dollars per annum and received the rents and profits thereof to an amount as these complainants believe, more than enough to pay off the whole purchase money due as aforesaid and contracted and agreed to be paid to said Fridge and Morris and always treated said property and spoke of it as having been purchased for the benefit of his mother his brothers and sisters and himself until lately