And thereupon the said Bill was accordingly entered on the docket of the Court dismissed as against the said defendants, the President & Directors of the Bank of Maryland in pursuance of the said order of the Complainants Solicitor.

And afterwards at the same Term the defendants by their counsel aforesaid suggested on the Docket of the Court the death of the defendants Daniel D Fitzhugh and Margaret his wife.

And afterwards at the same Term came the complainant aforesaid by his solicitor aforesaid and filed in the said cause his bill of revivor against Henry M Fitzhugh, Elizabeth Fitzhugh, Mary Fitzhugh and Margaret Fitzhugh in the words following to wit.

To the Honorable Theodorick Bland Chancellor of Maryland.

The Bill of revivor of William S M Pherson of Frederick County administrator de bonis non of Lewis Neth deceased humbly shows that heretofore he filed his Bill of amendment and so forth in this Court against certain Daniel D Fitzhugh and others of Baltimore County for relief in respect of certain lands which had been conveyed by the said Daniel and certain others of the defendants in trust or by way of mortgage to secure the payment of certain claims and demands of your orator as in said Bill is more fully stated to which said Bill the said Daniel D Fitzhugh answered and other proceedings were thereupon had as by the said Bill answer and other proceedings now remaining in this Court appear. But before a final Decree was passed in the said cause the said Daniel D Fitzhugh departed this life whereby said suit hath abated. And your orator further charges that the said Daniel D Fitzhugh died intestate and leaving Henry M Fitzhugh, Elizabeth Fitzhugh, Mary Fitzhugh and Margaret Fitzhugh his only children and heirs at law of whom the said Margaret is an infant under the age of twenty one years and that administration on the personal estate of the said Daniel D Fitzhugh hath been duly granted to the said Henry M Fitzhugh by the Orphans Court of Baltimore County that Margaret Fitzhugh the former wife of the said Daniel D Fitzhugh who is also named in the proceedings in this cause as a defendant thereto departed this life before her said husband Daniel D Fitzhugh and that no administration hath been taken out on her estate the claim of the said Margaret if any she ever had having been long since and in her life time satisfied unto her said husband in his life time. And your orator is advised that he is entitled to have this suit revived against the said heirs at law and administrator of the said Daniel D Fitzhugh deceased to the end therefore that the defendants hereinafter named may answer the matters herein contained and that this suit may be revived against them. May it please your Honor to grant unto your orator the writ of subpoena to the said Henry M Fitzhugh Elizabeth Fitzhugh, Mary Fitzhugh and Margaret Fitzhugh of Baltimore County commanding them to appear in this Court to answer the premises and shew cause if any they have why this suit should not be revived against them as prayed

and &c. Hn. S. Alexander, for Complt.

And thereupon a writ of subpoena was accordingly issued against the said Defendants Henry M Fitzhugh, Elizabeth Fitzhugh, Mary Fitzhugh and Margaret Fitzhugh to Baltimore County returnable to the next Term of the said Court to wit July Term 1841.

And afterwards at the same Term the parties aforesaid by their solicitors aforesaid filed in the said cause an agreement in the words following to wit.

William S M Pherson adm. D. B. N. of Lewis Neth, deceased. vs. George Fitzhugh & others	In Chancery. It is agreed that the testimony already taken in this cause shall be read at the hearing thereof as evidence against George F. Worthington and others children and heirs at law of Anne Worthington deceased to have the same effect as evidence as if the same had been taken under a Commission issued after issue joined on the answers of said defendants.

A. Randall, for Worthingtons, his clients.
Hn. S. Alexander, for Complt.

And the said cause thus standing was continued until the next Term of the said Court at which next Term to wit July Term 1841 the sheriff of Baltimore County made return of the subpoena against the defendants Henry M Fitzhugh, Elizabeth Fitzhugh Mary Fitzhugh and Margaret Fitzhugh thus endorsed "Summ."

And afterwards at the same Term an attachment to appear was issued against the defendants Henry M Fitzhugh, Elizabeth Fitzhugh and Mary Fitzhugh returnable to the next Term of the said Court to wit, September Term 1841. And afterwards that is to say at July Term 1841 of the said Court came Grafton D Dulany George G Blitt and S Teackle Wallis Esquires of Counsel for the defendants Henry M Fitzhugh, Elizabeth Fitzhugh, Mary Fitzhugh and Margaret Fitzhugh and in their behalf appeared to the said suit. And afterwards at the same Term a Commission was issued to S Teackle Wallis Esquire of the City of Baltimore to take the answer of the infant defendant Margaret Fitzhugh to the said Bill. And afterwards at the same Term the commissioner aforesaid made return of his said Commission with the answer of the said infant defendant to the said Bill in the words following to wit.

Maryland Sc. The State of Maryland To S Teackle Wallis of Baltimore County Greeting. Whereas William S M Pherson adm. D. B. N. of Lewis Neth dec. hath lately exhibited his bill of complaint before us in our High Court of Chancery against Margaret Fitzhugh and others defendants, and whereas we have by our writ lately commanded the said Defendant to appear before us in our said Chancery at a certain day to answer the said Bill but for as much as the said Margaret Fitzhugh is an infant under age and cannot answer the said Bill nor defend this suit without having a Guardian assigned in that behalf Know ye therefore that we have given unto you full power and authority in pursuance of the special order in our said Court to