24th day of February 1845. J. Pinkney Comr. (Seal)
Frank H. Stockett Comr. (Seal)

The execution of this Commission will appear from the annexed schedules. J. Pinkney. Frank H. Stockett.

And afterwards to wit on the 19th day of April 1845 the Chancellor passed his Decree in the said cause which was duly enrolled in the words following to wit,

Watkins and wife } In Chancery. March Term 1845.
vs. } His case standing ready for hearing and the
Sears and others. } solicitors of the parties having been fully heard the proceedings were read & considered, Whereupon it is on this nineteenth day of April in the year eighteen hundred and forty five by Theodorick Bland Chancellor and by the authority of this Court adjudged ordered and decreed that the bill of complaint of the said complainants be and the same is hereby dismissed with costs to be taxed by the Register.

Theodorick Bland Clk.

Watkins and wife } In Chancery 19th April 1845.
vs. } The said decree of this day in this case
Sears and others. } having been passed upon oral argument by the solicitors of the parties this Court doth therefore according to the act of assembly in such case made and provided set down and file the following opinion for or in respect of the said decree. It is the opinion of this Court that it was the intention of the testator to give the half of his land to his son Dennis in fee in case he should leave any child or issue, leaving at the time of his death, but if not then it was to pass to the testators daughters as specified, and after to his son Charles in fee.

Theodorick Bland Clk.

From which said Decree the Complainants by their solicitor aforesaid on the 21st day of April 1845 prayed an appeal to the next Court of Appeals to be holden for the Western Shore of Maryland in the words following to wit.

John J. C. G. Watkins & wife } In Chancery.
vs. } Mr. Passaway. Please enter an ap-
Charity Sears and others. } peal on the part of the Complainants from the Decree in this cause and send up the record.

Cornelius McLean, Solr. for Complts.

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

Maryland Sc.

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 thirtieth day of April in the year of our Lord one thousand eight hundred and forty five. (Seal)

Louis Passaway, Reg. Cur. Can.

Complts. costs $48.73. Deft. costs 1.15.

And now come into the Court of Appeals here, as well the said John J. C. Grandison Watkins and Eliza his wife by Cornelius McLean their attorney, as the said Charity Sears, Elizabeth C. Sears, Julia M. Sears, Mary A. Sears, Charles C. Sears, and James S. Sears by Alexander Randall their attorney; and thereupon, on motion of the said Charity Sears and others by their attorney aforesaid, it is ruled by the Court here, that the said John J. C. Grandison Watkins and Eliza his wife 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 them in default thereof. And the said John J. C. Grandison Watkins and Eliza his wife by their attorney aforesaid, say 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 Charity Sears & others against the said John J. C. Grandison Watkins and Eliza his wife when by the law of the land, that Decree ought to have been given for the said John J. C. Grandison Watkins and Eliza his wife against the said Charity Sears and others therefore in that there is manifest error, and they pray that the Decree aforesaid for that error, and others being in the record of proceedings aforesaid may be reversed, annulled, and held entirely as void, and that they the said John J. C. Grandison Watkins and Eliza his wife, may be restored to all things which they have lost by occasion of the said Decree and that the said Charity Sears and others may join to the errors aforesaid, and so forth. And thereupon it is ruled by the Court of Appeals here, that the said Charity Sears and others join in the errors by the said John J. C. Grandison Watkins and Eliza his wife 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 Charity Sears & others by their attorney aforesaid, pray that a day may be given to them to join in the errors by the said John J. C. Grandison Watkins and Eliza his wife 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 J. C. Grandison Watkins and Eliza his wife. At which said first Monday in December being the first day of the said month, in the year of our Lord one thousand eight hundred and forty five which said day was given to the said Charity Sears and others to join in the errors by the said John J. C. Grandison Watkins and Eliza his wife above assigned, come again into the Court of Appeals here, the parties aforesaid, by their attorneys aforesaid, and the said Charity Sears and others by their attorney aforesaid, say there is no error in the record of proceedings aforesaid, nor 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 J. C. Grandison Watkins and Eliza his wife above for error assigned, and that the said Decree, may be in all things affirmed, and so forth. Thereupon, further process of and upon the premises, between the parties aforesaid it by virtue of an act of assembly in such case made and provided, further