County this thirtieth day of September in the year of our Lord one thousand eight hundred and forty five.

Jno. L. Moore, Clk. Ct. H. D. of A. A. Coty.

The Court of Howard District of Anne Arundel County, sitting as a Court of Equity. September Term 1845.

Thomas B. Dorsey and others vs. Henry H. Pue & Harriet his wife and others.

1845 September 17th. Pro forma Decree signed in favor of complainants by consent, same day motion for appeal filed appeal granted, and forwarded to The Court of Appeals for the Western Shore of Maryland.

Complainants costs, Solicitor, $10.00
Clerk — 4.60
Sheriff — 1.95
Cost of executing Commission 32.00
" " copies of Exhibits &c — 13.89
$62.44

Defendants Pue & wife, costs, Solicitor $10.00
Clerk — 5.78
costs of executing Commission 4.00
" " copies of Exhibits &c 13.45 $33.23
Cost of Transcript — 51.87
$85.10

Test.

Jno. L. Moore, Clk.

And now come into the Court of Appeals here as well the said Henry H. Pue & wife & others by John Johnson, Edward Hammond and Alexander Randall their attorneys, as the said Thomas B. Dorsey & others by Thomas S. Alexander and William H. G. Dorsey their attorneys; and thereupon, on motion of the said Thomas B. Dorsey & others by their attorneys aforesaid, it is ruled by the Court here that the said Henry H. Pue & wife & others 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 Henry H. Pue & wife & others by their attorneys 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 Thomas B. Dorsey & others against the said Henry H. Pue & wife & others when by the law of the land that Decree ought to have been given for the said Henry H. Pue & wife & others, against the said Thomas B. Dorsey & 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 Henry H. Pue & wife & others may be restored to all things which they have lost by occasion of the said Decree, and that the said Thomas B. Dorsey & others, may rejoin to the errors aforesaid, and so forth. And thereupon, it is ruled by the Court of Appeals here, that the said Thomas B. Dorsey & others join in the errors by the said Henry H. Pue & wife & others 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 Thomas B. Dorsey & others by their attorneys aforesaid, pray that a day may be given to them to join in the errors by the said Henry H. Pue & wife & others above assigned in the record of proceedings aforesaid, until the second Monday in June next, and to them it is granted; the same day is also given to the said Henry H. Pue & wife & others. At which said second Monday in June being the eighth day of the said month, in the year of our Lord one thousand eight hundred and forty six which said day was given to the said Thomas B. Dorsey & others to join in the errors by the said Henry H. Pue & wife & others above assigned, come again into the Court of Appeals here, the parties aforesaid, by their attorneys aforesaid; and the said Thomas B. Dorsey & others by their attorneys 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 Henry H. Pue & wife & others above for error assigned, and that the said judgment may be in all things affirmed, and so forth. Thereupon further process of and upon the premises, between the parties aforesaid, is by virtue of an act of assembly in such case made and provided, further continued before the Court of Appeals here, until the first Monday in December next; the same day is given to the said parties there, then to hear the judgment of the Court of Appeals here, of and upon the said premises, and so forth. And now at this day, to wit, the said first Monday in December being the seventh day of the said month, in the year of our Lord one thousand eight hundred and forty six come again into the Court of Appeals here, the parties aforesaid, by their attorneys aforesaid, Whereupon as well the record and proceedings aforesaid, and the Decree given in form aforesaid, as the matters aforesaid, by the said Henry H. Pue and wife & others above for error assigned, being seen, and by the Court of Appeals here fully understood, and mature deliberation thereupon had, for that it appears to the Court of Appeals here, that there is no error in the record of proceedings aforesaid, nor in the giving of the Decree aforesaid Therefore it is considered by the Court of Appeals here, that the Decree aforesaid given in form aforesaid, be in all things affirmed and stand in full force and effect, the said causes for error above assigned and alleged in any wise notwithstanding: And it is further considered by the Court of Appeals here, that the said Thomas B. Dorsey & others have execution against the said Henry H. Pue & wife & others as well for the costs and charges aforesaid, adjudged unto them in the said County Court of Howard District in Anne Arundel County, sitting as a Court of equity as also the sum of one hundred and twenty three dollars & twenty five cents adjudged unto the said Thomas B. Dorsey & others by the Court of Appeals here, on their assent for their costs and charges which they had sustained by occasion of the delay of the execution of the Decree aforesaid, by pretext of the prosecution of the said appeal by the said Henry H. Pue & wife & others for the correcting of errors of and upon the premises as aforesaid prosecuted, &c.

Memorandum, At the Trial and argument of this cause, The Honorable Thomas B. Dorsey, Judge, withdrew from the Bench &c.

Test.

Richard W. Gill, Clerk.

Exd