Maryland Set.

At a Court of Appeals of the State of Maryland one of the United States of America begun and held for the Western Shore of the said State at the City of Annapolis on the second Monday of June being the twelfth day of the same month in the year of our Lord one thousand eight hundred and forty eight and in the seventy second year of the Independence of the United States.

Present

The Honorable Stevenson Archer Chief Judge
Thomas B. Dorsey
E. J. Chambers
Asa Spence
Alex.r C. Magruder
Robt. N. Martin
} Judges

Richard W. Gill Clerk

In the record of proceedings of the same Court among others is the following to wit

William C. Cunningham, James Cunningham, Charles E. Cunningham, George F. Cunningham, Thomas B. Washington and Rebecca his wife and Francis Thomas & Henry Wayman and Richard G. Stockett, vs. George Schley, Jacob Markee and Francis Thomas.

Be it remembered that now here on the first Monday in December being the sixth day of the said month, in the year of our Lord one thousand eight hundred and forty seven 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 certain cause, which was lately depending before him in the Court of Chancery between William C. Cunningham, James Cunningham & others complainants, and George Schley, Jacob Markee and Francis Thomas defendants, and wherein the said Court of Chancery passed a Decree for the said George Schley, Jacob Markee and Francis Thomas against the said William C. Cunningham, James Cunningham & others and from which said Decree the said William C. Cunningham, James Cunningham & others 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 July in the year of our Lord one thousand eight hundred and forty seven.

Present

The Honorable John Johnson Chancellor.
Louis Gassaway, Register.

Were had (among other) the following proceedings

Robert M. Gibbes, Charles Oliver and Thomas Oliver, vs. William C. Cunningham, James Cunningham, Charles E. Cunningham, George F. Cunningham, Thomas B. Washington and Rebecca his wife and Francis Thomas and Henry Wayman and Richard G. Stockett.

Be it remembered that heretofore to wit on the sixth day of December in the year of our Lord one thousand eight hundred and forty two came Robert M. Gibbes, Charles Oliver and Thomas Oliver by William Schley, Esquire their solicitor

into the Court of Chancery of the State of Maryland and exhibited in said Court their bill of complaint against William C. Cunningham, James Cunningham, Charles E. Cunningham, George F. Cunningham, Thomas B. Washington and Rebecca his wife and Francis Thomas and Henry Wayman and Richard G. Stockett in the words following to wit,

To the Honorable Theodorick Bland Chancellor of Maryland, Humbly complaining shew unto your Honor your orators Robert M. Gibbes, Charles Oliver, and Thomas Oliver of the City of Baltimore in the State of Maryland, executors of the last will and testament of Robert Oliver, late of the same City and State, deceased (as appears by an exemplification of their said letters herewith produced as a part of this bill, marked Exhibit No. 1,) and your orators John R. Ball, of Washington County in the State aforesaid and John M. Pherson, of Frederick County in the State aforesaid, administrators of all and singular the goods and chattels, rights and credits which were of Horatio M. Pherson late of Washington County aforesaid in the State aforesaid deceased, with the testament and last will of said deceased to their said letters annexed (as appears by an exemplification of their said letters herewith produced, as a part of this bill, marked Exhibit No. 2 and said John M. Pherson as administrator of all and singular the goods and chattels, rights and credits which were of John M. Pherson the elder, late of Frederick County aforesaid in the State aforesaid deceased, unadministered by said Horatio M. Pherson deceased in his life time acting executor of the last will and testament of the said John M. Pherson the elder, deceased (as appears by an exemplification of his said letters herewith produced as a part of this Bill, marked Exhibit No. 3) that heretofore, in his life, a certain James Cunningham late of Frederick County, now deceased to wit on or about the ninth day of April in the year of our Lord eighteen hundred and thirty five, made his certain promissory note in writing, bearing date the day and year aforesaid, whereby the said James Cunningham promised to pay twelve months after the date thereof to Henry Wayman, or order, five hundred and twenty six dollars and two cents, with interest from date for value received, and which said promissory note after the making of the same and before payment of the said sum of money thereon mentioned or any part thereof the said Henry Wayman duly endorsed to the said Robert Oliver in his life time, and which said sum of money, with the interest thereon, is still altogether unsatisfied and unpaid a copy of which said promissory note is herewith produced as a part of this Bill marked Exhibit No. 4, That the said James Cunningham, heretofore, in his life time, to wit on the nineteenth day of February in the year eighteen hundred and thirty one, made his certain other promissory note in writing bearing date the day and year last aforesaid whereby the said James Cunningham promised to pay six months after date to Horatio M. Pherson acting executor three hundred and sixty four dollars and eighty three cents, for value received, with interest from date, and which said last mentioned sum of money, with the interest thereon (except the sum of one hundred dollars paid to the said Horatio M. Pherson in partial payment