At which said 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 come again into the Court of Appeals here the parties aforesaid, by their attorneys aforesaid, But because the Court of Appeals here are not yet advised what judgment to give of and upon the premises, a day therefore is further given to the parties aforesaid, with the consent of the said parties, by their attorneys aforesaid, to come before the Court of Appeals here, on the second Monday in June next, to hear the judgment of the Court of Appeals here, of and upon the premises, for that the Court now here, as yet are not &c.* And now at this day to wit, the said first Monday in December being the fourth day of the said month, in the year of our Lord one thousand eight hundred and forty eight 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 John E Berry & 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 error in the record of proceedings aforesaid and also in the giving of the Decree aforesaid. Therefore the Court of Appeals here proceeded to pass such a Decree as the Court of Chancery ought to have passed.

John E Berry, et al vs. Edward Scott and Horatio C Scott. — Court of Appeals, Dec. T. 1848.

This cause coming on to be heard, having been fully argued and considered by the Court. It is thereupon this twentieth day of February in the year of our Lord one thousand eight hundred and forty nine By the Court and by and with the authority thereof ordered adjudged and decreed that the Decree aforesaid of the Court of Chancery of the second day of November eighteen hundred and forty six be and the same is hereby reversed without costs to the said appellants to be paid by the said appellees of the Court of Chancery and of this Court. And it is further adjudged ordered and decreed that this cause be remanded to the Court of Chancery that a decree in the usual form may be there passed providing that unless the sum of seven hundred and fifty Dollars with interest thereon from the 4th October 1831 within a reasonable time to be limited in said Decree be brought into that Court to be paid over to the persons entitled to the balance of the purchase money for the real estate mentioned in the proceedings in this cause that the said real estate or so much thereof as may be necessary to raise the aforesaid sum of money with the interest thereon to be paid over as aforesaid be sold and that such further proceedings may be had therein as the nature of the case may require.

Thos. B Dorsey
Asa Spence
Robert N Martin

Test. Richard W Gill, Clerk.

* At which said second Monday in June being the twelfth day of the said month, in the year of our Lord 1848 come again into the Court of Appeals, here, the parties aforesaid, by their attorneys aforesaid, but because the Court of Appeals, here, are not yet advised what judgment to give, a day therefore is further given to the parties aforesaid, with the consent of the said parties, by their attorneys aforesaid before the Court of Appeals here until the first Monday in December next to hear the judgment of the Court of Appeals here of and upon the premises for that the Court now here as yet are not &c.

Thomas Hutchins vs. Thomas Hope. — Be it remembered, That now here on the 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 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 Thomas Hope complainant and Thomas Hutchins defendant, and wherein the said Court of Chancery passed a Decree for the said Thomas Hope against the said Thomas Hutchins and from which said Decree the said Thomas Hutchins 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 six.

Present

The Honorable Theodorick Bland, Chancellor.
Louis Gassaway, Register.

Were had among other, the following proceedings.

Thomas Hope vs. Thomas Hutchins. — Be it remembered that heretofore to wit on the twenty fourth day of February in the year of our Lord one thousand eight hundred and forty one Henry Dorsey Esquire then Clerk of Harford 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.

Harford County Court as a Court of Equity.

O S. Thomas Hope vs. Thomas Hutchins. — Bill bond and Exhibit A. B. C. filed 1st March 1836 and Injunction and Subpa. issd. Injunction served and Defendant pund. 12th Mar 1838 answer filed and notice to disolve Injunction 21st Mar 1838 suggestion and affidavit filed and papers transmitted to the High Court of Chancery. — pt. Albert Constable Esq.

O C
H W A

True Copy of Docket Entries.
Test. — Henry Dorsey Clk.

And accompanying said certificate and there and there filed therewith were certain papers and proceedings theretofore had and taken in said County Court severally as follows.

To the Honorable the Judges of Harford County Court as a Court of Equity. — Your orator Thomas Hope of Harford County humbly complaining shews to your Honours that heretofore to wit about the year eighteen hundred and fifteen his father the late Thomas Hope departed this life leaving a considerable real and personal estate and that the said Thomas deceased made his last will and testament in writing duly attested and which has been legally admitted to probate by the Orphans Court of said County by which he devised and bequeathed among other things one third of his personal property after payment of debts and legacies to his widow Hannah Hope of said County the mother of your orator and bequeathed to three of his daughters the sum of six hundred dollars each and the residue to your orator and made your orator executor of the said will, all which will more fully appear by reference to a copy of said will herewith exhibited as part of this Bill and