the Peace of the said State in and for said City personally appeared Samuel W. McClellan and David W. B. McClellan and severally made oath that they know the sureties to the within bond and believe them to be worth five thousand dollars each over & above their debts and liabilities,

Walton Gray

I Certify that I believe the sureties to the within bond are sufficient for the penalty thereof—

Brantz Mayer Solr in Chancery

"Approved 14 Sept 1848.

John Johnson Ch.—

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

Maryland Set

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.

Seal

In Testimony whereof I have hereto set my hand and affixed the Great seal of the said State the twenty seventh day of March in the year of our Lord one thousand eight hundred and forty nine.

Louis Gassaway Reg Cur Can

Cost of Transcript $15.62.

And now into the Court of Appeals here as well the said Catharine M Raborg and Catharine M McClellan by John Nelson and William Schley their attorneys, as the said Zenus Barnum and Ephraim K Barnum by Charles F. Mayer, Samuel H Tagart and Thomas S. Alexander their attorneys; and thereupon, on motion of the said Zenus Barnum and Ephraim K Barnum by their attorneys aforesaid, it is ruled by the Court here, that the said Catharine M Raborg and Catharine M McClellan 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 Catharine M Raborg and Catharine M McClellan 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, towit, that by the record aforesaid, it appears that the Decree aforesaid, in the cause aforesaid given, was given for the said Zenus Barnum, Ephraim K Barnum against the said Catharine M Raborg and Catharine M McClellan when, by the law of the land, that Decree ought to have been given for the said Catharine M Raborg and Catharine M McClellan against the said Zenus Barnum and Ephraim K Barnum 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 Catharine M Raborg and Catharine M McClellan may be restored to all things which they have lost by occasion of the said Decree and that the said Zenus Barnum and Ephraim K Barnum may reply to the errors aforesaid and soforth. And thereupon, it is ruled by the Court of Appeals here, that the said Zenus Barnum and Ephraim K Barnum

join in the errors by the said Catharine M Raborg and Catharine M McClellan 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 Zenus Barnum and Ephraim K Barnum by their attorneys aforesaid, pray that a day may be given to them to join in the errors by the said Catharine M Raborg and Catharine M McClellan 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 Catharine M Raborg and Catharine M McClellan.

At which said second Monday in June being the eleventh day of the said month, in the year of our Lord one thousand eight hundred and forty nine which said day was given to the said Zenus Barnum and Ephraim K Barnum to join in the errors by the said Catharine M Raborg and Catharine M McClellan above assigned, come again into the Court of Appeals here, the parties aforesaid, by their attorneys aforesaid; and the said Zenus Barnum and Ephraim K Barnum 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 Catharine M Raborg and Catharine M McClellan above for error assigned and that the said Decree may be in all things affirmed, and soforth. 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 soforth.

At which said First Monday in December being the Third day of the said month, in the year of our Lord one thousand eight hundred and forty nine 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 towit, the said Second Monday in June being the Tenth day of the said month, in the year of our Lord one thousand eight hundred and fifty 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 Catharine M Raborg and Catharine M McClellan 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