And this Court being of Opinion for the reasons stated that the Complainant is not entitled to relief.

It is thereupon the 7th day of December in the year 1848 by John Johnson Chancellor and by the authority of this Court adjudged ordered and decreed that the bill of Complaint of the Complainant filed in this Cause be and the same is hereby dismissed with Costs to be taxed by the Register,

John Johnson Chr

And afterwards at the same time that is to say on the 7th day of December 1848 Came the Complainant aforesaid by his solicitor aforesaid and filed in the said Cause an order for an Appeal from the said Decree of the 7th of December 1848 to the next Court of Appeals to be holden for the Western Shore of Maryland in the words following towit.

Samuel Chew Executor of Rebecca Gibson vs The President Directors & Company of the Farmers Bank of Maryland & others

In Chancery

Mr Gassaway Please enter an Appeal in this Case from the decree dismissing the bill

Cornelius McLean Sol for Compt

And afterwards towit on the 8th day of June 1849 the parties aforesaid by their solicitors aforesaid filed an agreement in the said cause in the words following towit.

Samuel Chew Executor of Rebecca Gibson vs Farmers Bank of Maryland and others

In Chancery

It is agreed in this Case that the Register may finish the record for the Court of Appeals without inserting therein any of the papers used at the argument from the case of McCormick against the heirs and devisees of Jacob Gibson & others and that either party may in the Court of Appeals use either the original or a Copy of any papers therein under the former agreement in this Cause in relation thereto and that for the Opinion of the Court of Appeals in the said case they may use the printed Case as reported in Johnson & Gill. A Randall for the Bank

Cornelius McLean for Compt

J Murray for Lloyd, Edmondson & Hopkins

Nick Hammond for the widow & heirs at Law of Fayette Gibson

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.

In Testimony whereof I have hereto set my hand and affixed the Great Seal of the said State this fourteenth day of June in the year of our Lord one thousand eight hundred and forty nine

(Seal)

Louis Gassaway Reg Cur Can

Complts Costs $293.45
Defts Costs 60.07

And now come into the Court of Appeals here, as well the said Samuel Chew Exr of Rebecca Gibson by C McLean & N Hammond his attorneys as the said Farmers Bank of Md & others by J. Murray, A Randall & J Alexander their attorneys; and thereupon on motion of the said Farmers Bank of Md & others by their attorneys aforesaid it is ruled that the said Saml Chew Exr of R Gibson 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 him in default thereof: and the said Samuel Chew Exr of Rebecca Gibson by his attorneys aforesaid says, 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 Farmers Bank of Maryland & others against the said Samuel Chew Exr of Rebecca Gibson, when by the law of the land that Decree ought to have been given for the said Samuel Chew Exr of Rebecca Gibson against the said Farmers Bank of Md & others therefore in that there is manifest error and he prays 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 he the said Samuel Chew Exr of Rebecca Gibson may be restored to all things which he lost by occasion of the said Decree, and that the said Farmers Bank of Md & others may rejoin to the errors aforesaid, and so forth. And thereupon, it is ruled by the Court of Appeals here, that the said Farmers Bank of Maryland and others join in the errors by the said Samuel Chew Exr of Rebecca Gibson 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 Farmers Bank of Maryland & others by their attorneys aforesaid pray that a day may be given to them to join in the errors by the said Samuel Chew Exr of Rebecca Gibson 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 Saml Chew Ex as aforesaid.

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 which said day was given to the said Farmers Bank of Maryland and others to join in the errors by the said Samuel Chew Exr as aforesaid above assigned, come again into the Court of Appeals here the parties aforesaid by their attorneys aforesaid; and the said Farmers Bank of Maryland & others by their attorneys aforesaid say there is no error in the record of proceedings aforesaid, nor in the giving of the judgment 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 Samuel Chew Exr as aforesaid 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 second Monday in June next; the same day is given to the said parties there then to hear