and the Decree given in form aforesaid, as the matters aforesaid, by the said Daniel O'Neill 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; Whereupon the Court of Appeals here, passed their Decree in the words and of the tenor following, to wit:

Daniel O'Neill vs William A. Cole

Court of Appeals of Maryland, June term 1853.

This appeal standing ready for hearing was argued by the Counsel for the Parties, and the proceedings have since been considered by the Court. It is thereupon this 1st day of July in the year Eighteen hundred and fifty three by the Court of Appeals of Maryland adjudged ordered and decreed that the decree of the Chancellor in this case from which this appeal is taken be and the same is hereby affirmed with costs.

Jno C. LeGrand
J. B. Eccleston
Will H. Tuck
Jno Thomson Mason

December Term 1853

Maria Winchester & Robert Lemmon vs The Baltimore & Susquehanna Rail Road Company

Be it remembered, That now here, on the first Monday in June being the Sixth day of the said month, in the year of our Lord, one thousand, eight hundred and fifty three the Judge of the Superior Court of Baltimore City in the Fifth Judicial Circuit 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 plea which was lately depending before him in the Superior Court of Baltimore City between Maria Winchester and Robert Lemmon complainants, and the Baltimore & Susquehanna Rail Road Company defendants, and where in the said Superior Court came Decree, for the said Baltimore & Susquehanna Rail Road Company against the said Maria Winchester & Robert Lemmon and from which said Decree the said Maria Winchester and Robert Lemmon appealed to the Court of Appeals here the tenor of which said record of proceedings is in form following to wit:

State of Maryland.
City of Baltimore towit:

At a Session of the Superior Court of Baltimore City, in the Fifth Judicial Circuit of the State of Maryland begun and held at the Court House, in and for the City aforesaid on the second Monday in January, being the tenth day of the same month, in the year of our Lord, one thousand eight hundred and fifty three.

Were Present.

The Honorable William Frick Judge
John Hayes Esquire Sheriff.
Edward Dowling Clk.

In the Record of Proceedings of the said Court, among others were the following, to wit:

Maria Winchester & Robert Lemmon vs The Baltimore & Susquehanna Rail Road Company

Bill of Complaint &c.

Be it remembered that heretofore, towit: on the Sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty three, come into the Superior Court here sitting in Equity the said Maria Winchester and Robert Lemmon the Complainants in this Suit by J. Seatle Wallis and J. H. Thomas Esquires their Solicitors, and exhibited their Bill of Complaint in form following towit:

To the Honorable William Frick Judge of the Superior Court of Baltimore City, in Equity:

The Bill of Complaint & injunction of Maria Winchester, widow of George Winchester, deceased, & Robert Lemmon her Trustee of the City of Baltimore, humbly shew,

That a certain George Winchester late of the said City deceased, having by the sale of certain property, belonging to your Orbtrix as her seperate Estate become possessed of certain moneys of your oratrix, his wife, did, on or about the 31st day of July 1830, invest the same for the benefit of your Oratrix, in certain real Estate in York County in the State of Pennsylvania called Yorkhaven, towit: in the undivided one fourth of said real estate, taking to himself, however in his own name, the deed of the Sheriff of York County, of the same date for the whole of said property.

And your Orators further represent, that said Winchester, with the concurrence & Cooperation of your Oratrix, did convey away unto certain other parties, three undivided fourth parts of said property, & he, & your Oratrix, by their joint deed of July 1st 1831, did convey the remaining fourth part, so purchased, as aforesaid, with the monies of your Oratrix, to your Orator, Robert Lemmon Trustee of your Oratrix, for her sole and seperate use.

And your Orators further represent, that after