Company. His being debtor of the Company seperated him for the purposes of settlement and in reference to that debt from his official relations to the Corporation. The Corporation was represented by parties to whom the conveyance was made on behalf of the Company. The private knowledge then within his own breast, what ever use he made of it, ought not under the Circumstances to be imputed to the Company, and must preclude the Complainants from having any advantage of his Concealment of their alledged prior Equity.

The determination of this question, looking to the averments of the bill, would seem to cover the whole Case, and renders it also unnecessary to decide whether the answer, which sufficiently denies the Equity, is or is not evidence under the Act of 1852. and compels me to dissolve the Injunction.

Wm Frick. -

In the Superior Court
In Equity.

"The motion to dissolve the Injunction issued in this Case having been Argued by the Solicitors of the respective parties, it is for the reasons above Expressed, this 25th March 1852. Ordered that the Injunction be dissolved.

Wm Frick -

And afterwards, to wit; on the second day of April, in the year last aforesaid, the Complainants by their Solicitors aforesaid, pray an appeal, in this Cause, to the next Court of Appeals, to be held for the State of Maryland, and to them it is granted. Whereupon the said Complainants, by their Solicitors aforesaid filed in said Cause, an appeal Bond of which the following is a Copy, to wit:-

Stamp 50 ¢

Know all men by these presents, that We Maria Winchester and Robert Lemmon, and J. Marshall Winchester of Baltimore City, in the State of Maryland are held and firmly bound unto the Balt. & Susquehanna R. Road Co. or to their certain Attorney, in the sum of one thousand dollars; to which payment well and truly to be made, we bind ourselves and every of us, our & every of our heirs, executors & administrators jointly and severally firmly by these presents. Sealed with our seals, and dated this fifth day of April, in the year of our Lord one thousand eight hundred and fifty three. Whereas by an Order of the Superior Court of Baltimore City passed in a Cause therein depending in Equity, between the said Winchester & Lemmon Complainants, & the said Balt. & Susquehanna R. Road Co. defendant, a certain injunction in said Cause previously granted was dissolved. And Whereas the said Winchester & Lemmon are about to appeal from the said Order, to the Court of Appeals for the State of Maryland. Now the Condition of the above obligation is such, that if the above bound Winchester & Lemmon shall not cause a transcript of the Record and proceedings in the said Case to be transmitted to the Court of Appeals,

to be holden for the State of Maryland, within the time required by law, and prosecute the said Appeal with effect, & also satisfy & pay unto the said Balt. & Susquehanna R. Road Co. or their Attorney, in Case the said Order shall be affirmed as well all and singular, the damages & Costs, in the Court of Equity aforesaid, proper to be paid by the said Winchester & Lemmon, as also all costs & damages that shall be awarded by the said Court of Appeals, then this bond to remain in full force & virtue otherwise of no effect.

Signed Sealed & delivered in presence of } Maria Winchester (Seal)
Chas. A. Reg. Robert Lemmon (Seal)
J. Marshall Winchester (Seal)

On the back whereof are the following endorsements, to wit:-

"I believe the within Bond Sufficient. Edwd Dowling Clk.

"Bond approved. Wm Frick.

It is thereupon Ordered by the Court here, that a transcript of the Record and proceedings in said Cause, with all things thereto relating be transmitted to the said Court of Appeals, and the same are hereby transmitted accordingly.

In Testimony that the foregoing is a full and true transcript, taken from the Record of Proceedings of the Superior Court of Baltimore City, in the Cause therein mentioned, I hereto set my hand and affix the Seal of said Court this Thirteenth day of April Anno Domini one thousand eight hundred and fifty three.

(Seals place)

Edwd Dowling Clk
Supr Ct of Balt. City

And now come into the Court of Appeals here, as well the said Maria Winchester & Robert Lemmon by J. J. Wallis & R. H. Thomas Esqrs their attorneys, as the said Baltimore & Susquehanna Rail Road Company by R. Mason Campbell Esq. their attorney; and thereupon on motion of the said Balt. & Susquehanna R. R. Comp. by their attorney aforesaid, it is ruled by the Court here, that the said Maria Winchester & Robert Lemmon 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 Decree by the Court of Appeals here, will be entered against them in default thereof; and the said Maria Winchester & Robert Lemmon 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, to wit, that by the record aforesaid, it appears that the Decree aforesaid, in the plea aforesaid given, was given for the said Baltimore & Susquehanna Rail Road Company against the said Maria Winchester & Robert Lemmon, when by the law of the land, that Decree ought to have been given for the said Maria Winchester & Robert Lemmon, against the said Baltimore & Susquehanna Rail Road Company, therefore in that there is manifest