as will the record and proceedings aforesaid, and the Decree given in form aforesaid, as the matters aforesaid, by the said John Mundorff and Mary his wife above for the 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 aforesaid, be in all things affirmed and stand in full force and effect; the said causes for error above assigned and alleged in anywise notwithstanding.

Thereupon the Court of Appeals here passed their Decree in the words and of the tenor following, to wit:—

John Mundorff & wife
vs
Elbridge G. Kilbourn
& al

December Term 1853

This appeal standing ready for hearing and having been argued & considered by the Court, it is thereupon this 5th day of February 1854, by the Court of Appeals of Maryland, & the authority thereof, adjudged, ordered & decreed, that the decree of the Superior Court of the City of Baltimore, passed on the 29th day of September 1854, be and the same is hereby affirmed with costs to the appellee, for the reasons assigned in the opinion of this Court.

Jno G. LeGrand
Will H. Tuck
Jno Thomson Mason.

December Term 1854.

Benjamin F. Haines & others
vs
Mordecai Haines & others

Be it remembered, That now here, on the first Monday in June being the fifth day of the said month, in the year of our Lord, one thousand, eight hundred, and fifty four the Judge of the second 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 cause which was lately depending before him in the Circuit Court of Howard County, between Benjamin F. Haines & others Complainants, and Mordecai Haines & others defendants, and wherein the said Circuit Court gave Decree for the said Mordecai Haines & others against the said Benjamin F. Haines & others and from which said Decree the said Benjamin F. Haines & others 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 day of in the year of our Lord one thousand eight hundred and

Present.

The Honorable John Johnson, Chancellor.
Louis Gapaway, Register

There had among other the following proceedings

Benjamin F. Haines
Edward P. Ridgely
& Elizabeth his wife
William G. Moran
& Mary his Wife
Robert H. Shipley
& Sophia his Wife
vs
Mordecai Haines
Mary Haines
Nicholas Hardy
& Eleanor his Wife
John Haines
& William Augustus Haines

Be it remembered, that heretofore to wit: On the fourteenth day of February in the year of our Lord one thousand eight hundred and forty nine, came Benjamin F. Haines, Edward P. Ridgely and Elizabeth his wife, Robert H. Shipley & Sophia his Wife, by Robert B. Brent Esquire, their Solicitor, into the Court of Chancery, of the State of Maryland, and exhibited in said Court their bill of complaint against Mordecai Haines Mary Haines Nicholas Hardy, & & Eleanor his Wife, John Haines, & William Augustus Haines in the words following To Wit—

To the Honorable John Johnson Chancellor of Maryland,

The bill of complaint of Benjamin F. Haines, Edward P. Ridgely & Elizabeth his Wife, William G. Moran, & Mary his Wife, Robert H. Shipley, & Sophia his Wife, humbly shews that heretofore a certain Nathan Haines late of Howard district of Anne Arundel County, deceased, was in his life time seized and possessed of certain real estate lying and being in said County, and elsewhere in the State of Maryland and being so thereof seized & possessed some time in the year 1848 departed this life intestate, as to said real estate, leaving as his heirs at Law his three surviving Children Mordecai Haines, Mary Haines, Eleanor now intermarried with Nicholas Hardy, & the following Grand Children viz Your Orators, Benjamin F. Haines, Elizabeth now intermarried with your orator, Edward P. Ridgely, Mary now intermarried with your orator, William G. Moran, Sophia Shipley now intermarried with your orator, Robert H. Shipley, Children of Daniel Haines deceased, a son of said Nathan & John Haines a son of Nathan Haines Jr. deceased son of said Daniel who was a son of said Nathan and John Haines and William Augustus Haines sons of John Haines a deceased son of said Nathan, making five parts into which said real estate is to be divided, and that the said John Haines & William Augustus Haines, are infants residing in Howard District & the said John Haines son of Nathan Jr. an infant residing in