in the proceedings aforesaid and also all damages and costs that may be awarded by the Court of Appeals and shall indemnify them against all loss and injury which such parties may sustain by reason of such appeal and the staying of the operation of such order aforesaid then this said Bond to be in full force and virtue otherwise of no effect.

In witness whereof the said Charles Street Avenue Company hath hereunto affixed its corporate seal and we have hereunto set our hand and seals this second day of December 1856

Charles Street Avenue Company (Seal)

Signed sealed & delivered in presence of William H. Cole

Adam Denmead Prest (Seal)
Adam Denmead (Seal)
Joseph Reynolds (Seal)
J. Malcolm (Seal)
Henry W. Krebs (Seal)

I believe the above bond amply sufficient for the penalty therein mentioned
S. H. Pagant 2d Decr 1856.

Which said Bond is thus endorsed, to wit: Bond approved
John N. Chew Decr 2d 1856.

It is thereupon ordered by the Court here that a transcript of the record and proceedings with all things thereunto relating be transmitted to the Court of Appeals of the State of Maryland, and the same is transmitted accordingly.

Test. N. M. Fitzhugh Clk.

In testimony that the aforegoing is a true transcript taken and made from the record of proceedings of the Circuit Court for Baltimore County.

Seal Place

I have hereunto subscribed my name and affixed the seal of the Circuit Court for Baltimore County this sixteenth day of February A.D. 1857.

N. M. Fitzhugh Clk

Joseph Merryman & others vs The Charles Street Avenue Company & William S. Crowley — Bill

Complainants Costs
Attorney 10.00
Clerk 3.50
Sheriff 1.50
$15.00

Defendants Costs
Attorney $10.00
Clerk 8.45
$18.45

Test. N. M. Fitzhugh Clerk

And now come into the Court of Appeals as well the said Charles Street Avenue Company and Wm S. Crowley by A. H. Pitts and James Malcolm Esquires their Attorneys as the said James Merryman and others by A. W. Machen and Richd S. Gittings Esqs their Attorneys, and thereupon on motion of the said Joseph Merryman and others by their attorneys aforesaid it is ruled by the Court here that the said Charles Street Avenue Company and

Wm S. Crowley 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 Charles Street Avenue Company and Wm S. Crowley by their Attorneys aforesaid say that in the record of proceedings aforesaid and also in the giving of Decree aforesaid there is no 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 Joseph Merryman and others against the said Charles Street Avenue Company and Wm S. Crowley when by the law of the land that Decree ought to have been given for the said Charles Street Avenue Company against the said Joseph Merryman & others 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 Charles Street Avenue Company and Wm S. Crowley may be restored to all things which they have lost by occasion of the said Decree and that the said Joseph Merryman and others may rejoin to the errors aforesaid and so forth. And thereupon it is ruled by the Court of Appeals here that the said Joseph Merryman and others join in the errors by the said Charles Street Avenue Company and Wm S. Crowley above assigned in the record of proceedings aforesaid a Decree by the Court of Appeals here will be rendered against them in default thereof; And the said Joseph Merryman and others by their Attorneys 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 Charles Street Avenue Company and Wm S. Crowley above for error assigned and that the said Decree may be in all things affirmed and so forth. Whereupon as well the record and proceedings aforesaid and the Decree given in form aforesaid as the matters aforesaid by the said Charles Street Avenue Company and Wm S. Crowley 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 Error in the record of proceedings aforesaid, and also in the giving of the Decree aforesaid Thereupon the Court of Appeals here pass their Decree in the words and of the tenor following, to wit

Charles Street Avenue Company vs Merryman et al, } Court of Appeals of Md

This cause standing ready for hearing and all the proceedings now read and duly considered, It is thereupon this 29th of July A.D. 1857 by the Court of Appeals of Maryland and by the authority thereof ordered adjudged and Decreed that the order from which the appeal is taken be and the same is hereby reversed with costs.