$15.00 would be ample security & your Petitioner could probably give said Bond, but might be unable to give a larger bond. Your Petitioner further shews that his ordering that the acceptance of his appeal Bond should be made conditional on this Petition in the proceeding a policy of Insurance on all the buildings in said premises & assigning the same to the Trustee named in said decree as collateral security for the claim of said Complainants, Wherefore your Petitioner prays that an order may be passed fixing the penalty of said appeal bond as in duty bound will ever pray

R. J. Brent, for Petitioner

Which being read and heard the Court passed the following order, to wit: On the foregoing Petition, it is ordered this 8th day of July 1863 that the penalty of the appeal bond, in the above case be fixed at five thousand dollars ($5,000.00)

John H. Price

And on the same day and year last aforesaid the following Appeal Bond was filed, to wit:

U. S. $5.

Know all men by these presents, that we John Jenkins, John G. Reeves of Baltimore City in the State of Maryland, are held and firmly bound unto Allen Hay and Thomas Hay, constituting the firm of Allen Hay & Co, in the full and just sum of five thousand dollars current money, to be paid to the said Allen Hay and Thomas Hay, their certain Attorney, executors, administrators and assigns: to the payment whereof well and truly to be made and done we bind ourselves our heirs, executors and administrators, firmly by these presents

Whereas the said Allen Hay & Thomas Hay have obtained a decree in the Circuit Court for Baltimore County sitting in Equity at the May term thereof, A. D. 1863 for the sale of certain real estate therein described from which decree the said John Jenkins hath prayed an appeal to the next Court of Appeals to be held for the State of Maryland.

Now the condition of the above obligation is such, That if the above named John Jenkins aforesaid shall not cause a transcript of the record and proceedings to be transmitted to the next Court of Appeals, within the time required by law, and prosecute said appeal with effect; and indemnify the said Allen Hay & Thomas Hay from all loss & injury which they may sustain by reason of such appeal & the staying the operation of such decree & also satisfy & pay to said Allen Hay & Thomas Hay in case the said decree shall be affirmed as well damages and costs adjudged in the Circuit Court aforesaid; as also, all damages and costs that may be awarded by the Court of Appeals, aforesaid; then the said bond to be in full force and virtue; otherwise of no effect

In witness whereof, we have hereunto set our hands and seals this 13th day of August 1863.

Signed, sealed & delivered in the presence of R. J. Brent — John Jenkins {Seal}, John G. Reeves {Seal}

Which Bond is thus endorsed, to wit: "Bond approved, John H. Price, 10th Sept. 1863" Whereupon the Court directs a transcript of the record of Proceedings in the said cause to be transmitted to the next Court of Appeals of Maryland.

Which is accordingly done.

Test. Geo. H. Carman, Clerk.

State of Maryland, Baltimore County, to wit:

I, George H. Carman, Clerk of the Circuit Court for Baltimore County, in the State of Maryland, hereby certify that the aforegoing is a full and true transcript taken from the record of proceedings of the said Court in the cause therein mentioned

Seal of Court

In Testimony whereof, I hereto set my hand and affix the seal of the Circuit Court aforesaid this seventh day of November in the year of our Lord eighteen hundred and sixty three

U. S. Int. Rev. 5 cts.

Geo. H. Carman

Clerk of the Circuit Court for Baltimore Co.

And now come into the Court of Appeals here, as well the said John Jenkins by Robert J. Brent Esq. his Attorney as the said Allen Hay and others by S. T. Wallis & John H. Thomas Esquire their Attorneys and thereupon, on motion of the said Allen Hay and others by their Attorneys aforesaid, it is ordered by the Court here, That the said John Jenkins assign the errors in the record of Proceedings aforesaid and 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 him in default thereof; and the said John Jenkins by his Attorney aforesaid, says, 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 Allen Hay & others against the said John Jenkins when by the law of the land, that decree ought to have been given for the said John Jenkins against the said Allen Hay & others Therefore in that there is manifest error and 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 John Jenkins may be restored to all things which he hath lost by occasion of the said decree, and that the said Allen Hay & others may rejoin to the errors aforesaid, and so forth.