April Term 1865

This cause standing ready for hearing and being submitted by agreement of Counsel upon Written Arguments only filed the Bill proceedings, testimony and other papers thereon together with the written Arguments of the Solicitors of the respective parties and carefully read and considered,

This Chancery this 22 day of July in the year 1863 by John H Price Judge of the Circuit Court for Cecil County, in Chancery and by the authority of this Court adjudged Ordered and Decreed that the Bill of Complaint of the Complainants and each and every of their Several Amended Bills of Complaint be and the same are hereby dismissed and that the Complainants pay the Defendant William Logan his costs of this suit to be taxed by the Clerk of this Court.

John H Price

Afterwards to wit on the 21 day of September in the year 1863 aforesaid the said James Hooper Jr and the Complainants aforesaid by James P McCullough Esq his Solicitor applies to and directs the Clerk of the Circuit Court here to enter an Appeal from the decree aforesaid of the Circuit Court here to the Court of Appeals to be held for the State of Maryland at Annapolis on the first Monday of December in the year last aforesaid, which is accordingly done and afterwards to wit on the 6th day of February in the year 1864 the said James Hooper Jr filed in the Office of the Clerk of the Circuit Court here in this cause, a certain writing obligatory commonly called an appeal Bond which is in the words and figures and of the tenor following to wit,

Know all men by these presents that we James Hooper Jr and Samuel Hazlehurst all of the City of Baltimore in the State of Maryland are held and firmly bound unto William Logan Thomas Burnside Susan Whitelock Samuel P Whitelock and James L Sutton in the just and full sum of Six thousand Dollars to be paid to the said William Logan Thomas Burnside Susan Whitelock Samuel P Whitelock and James L Sutton their Executors administrators or assigns to which payment well and truly to be made and due we bind ourselves and every of us and every of our Heirs Executors and Administrators in the whole and for the whole fully and truly to be paid Sealed with our Seals and dated this 5th day of February in the year of our Lord 1864.

Whereas the said James Hooper Jr has sued out an appeal from the decree of the Circuit Court for Cecil County as a Court of Chancery in a certain cause depending in said Court wherein the said James Hooper Mary P Hooper Lee P Hooper Emily A Hooper James P Hooper John B Hooper Margaret L Hooper Henry Hooper Elizabeth Hooper William G Hooper Caleb Shepherd and Elizabeth Shepherd his wife Robinson W Cator and Mary C Cator his wife and Robert M Stillman and Ann H Stillman his wife and Alice Patterson are Complainants and the said William Logan Thomas Burnside Susan Whitelock Emily Whitelock Samuel P Whitelock James L Sutton are Defendants.

Now the Condition of the above obligation is such that if the said James Hooper Jr shall not cause a transcript of the Record and proceedings of the said decree to be transmitted to the Court of Appeals within the time required by law and prosecute the said Appeal with effect and also pay and satisfy to the said William Logan, Thomas Burnside, Susan Whitelock Emily Whitelock Samuel P Whitelock and James L Sutton their Executors

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administrators or assigns, as well the debt and costs decreed by the said Circuit Court and indemnify them from all loss and injury which they may sustain by reason of such appeal and staying the operation of said Decree as also all damages and costs that may be awarded by the Court of Appeals then the above obligation shall be and remain in full force and virtue otherwise to be of no effect.

Signed sealed and delivered in presence of W H Byrne,

James Hooper Jr (Seal)
Samd Hazlehurst (Seal)

Mr Haines; I consider the security in the above Bond amply sufficient.
Frederick Stump.

Which said Bond is thus Endorsed to Wit.
The within Bond approved this 6th of February 1864
Test Charles H Haines Clerk
Circ Ct for Cecil County.

State of Maryland Cecil County Sct
I hereby certify that the foregoing is a true Copy taken from and made from the Record and proceedings of the Circuit Court for Cecil County.
In testimony whereof I have hereunto set my hand and affix the seal of the said Court in this 6th day of June A D 1864
(Seal) Chas H Haines Clerk
Circ Ct for Cecil County.

Complainants Costs $87.37

Add costs in late Court of Chancery which the Clerk of the Circuit Court for Cecil County has in his hands of ascertaining 1

Defendants Costs.
Solicitor $10.00
Clerk 1.45
$11.45

And now comes into Court of Appeals here as well the said James Hooper by James P McCullough his Attorney as the said William Logan and others by John A B Cresswell Esqr their Attorney and thereupon on motion of the said William Logan Jr and others by their Attorney aforesaid it is ordered by the Court here that the said James Hooper Jr assign the errors in the Record of proceedings aforesaid, in the Decree the Judgment aforesaid, so as aforesaid brought before the Court of Appeals here for correcting the errors supposed to be therein or Decreed by the Court of Appeals here not to be Errors against him in default thereof and the said James Hooper Jr by his Attorney aforesaid says that in the Record of proceedings aforesaid, and also in the Decree aforesaid there is manifest error in this to wit that by the Record aforesaid it appears that the Decree aforesaid in the Court aforesaid given was given for the said William Logan