October Term 1884.

(Filed 6th June, 1884)

Marcella MacTavish Trustee
vs
Nicholas Popplein et al.

In the
Circuit Court
of
Baltimore City

To obviate the necessity of the production and examination of witnesses on the part of the defendants and petitioners it is admitted and agreed.

1. That Mrs. Emily MacTavish late of the City of Baltimore died on or about the 26th day of January 1867.

2. That Charles Carroll MacTavish son of the said Emily MacTavish died on or about the 12th day of March 1868.

3. That the said Charles Carroll MacTavish left him surviving his wife Mrs. Marcella MacTavish and four children whose names and dates of birth respective are as follows, viz:

Maria Mayo MacTavish born on or about the 12th day of June 1854.
Emily C. MacTavish born on the 25th day of October 1855.
Charles Carroll MacTavish born on the 31st day of March 1857.
Virginia MacTavish born on or about the 25th day of January 1859.

4. That all of the said Children of Charles Carroll MacTavish deceased are still living and that his said three daughters are unmarried.

The above stated facts are to have the same effect as evidence in this cause as if regularly proved by competent testimony produced on the part of the defendants before an examiner; but the complainant does not hereby admit the relevancy of the said facts or any of them as evidence in this cause at this stage thereof, or that the case is open for the introduction of evidence, or for any other purpose than the execution of the decree last passed by the Court in the premises.

October Term 1884.

S. T. Wallis
S. T. Wallis Jr. Solrs for Complt.
A. W. Machen Sol. for E. H. Collins & R. Bernard
Admrs c. t. a. of John Eschbach dec'd.

Prayer of Appeal.

(Filed 14th June 1884)

Marcella MacTavish Trustee
vs
Nicholas Popplein et al

In the Circuit Court
of
Baltimore City.

To James R. Brewer Esq.
Clerk of the Circuit Court of Baltimore City.

Elizabeth H. Collins and Richard Bernard administrators with the will annexed of John Eschbach deceased without waiving their application for a rehearing of this cause upon the petition by them heretofore filed, pray an appeal to the Court of Appeals from the decree lately passed in this cause filed the fifteenth day of April A. D. 1884.

A. W. Machen
Solr. for Elizabeth H. Collins &
Richard Bernard admrs c. t. a. of
John Eschbach deceased.

Auditors Report and Account.

(Filed 21st June 1884)

Marcella MacTavish Trustee
vs
Nicholas Popplein et al

In the Circuit Court
of
Baltimore City.

To the Honorable William A. Stewart Judge &c.

The auditor reports to the Court that the cause having been remanded to him for the purpose of taking testimony