October Term 1884.

Complainant's Exceptions to Evidence.
(Filed 2d July 1884)

Foley, Trustee vs Popplein & others and MacTavish Trustee vs Popplein & others.	In the Circuit Court of Baltimore City.

Petition for Rehearing &c.

The complainants respectively in these two cases except to the admissibility, relevancy and competency of the evidence produced by the Respondents, both in itself and in respect to the stage of the cause at which the same is sought to be introduced.

S. T. Wallis
Sol. for Complts.

Decree dismissing Petition to Reopen Case.
(Filed 3d July 1884)

Marcella MacTavish trustee vs Nicholas Popplein et al.	In the Circuit Court of Baltimore City.

The petition of Elizabeth H. Collins and Richard Bernard administrators c.t.a. of John Eschbach deceased filed in the above entitled proceedings on or about the 3d day of May 1884 together with the cause shown to the contrary thereof by the answer of the complainant filed in the same, having been submitted, argued, heard and considered.

It is thereupon this 3d day of July 1884 by this Court

October Term 1884

adjudged ordered and decreed that the said petition be and the same is hereby dismissed with costs.

Edwd. Duffy.

Prayer for Appeal.
(Filed 7th July 1884.)

Marcella MacTavish trustee vs Nicholas Popplein et al	In the Circuit Court of Baltimore City.

Mr James R. Brewer, Clerk of the
Circuit Court of Baltimore City.

Elizabeth H. Collins and Richard Bernard administrators c.t.a. of John Eschbach deceased pray an appeal to the Court of Appeals from the decree or order passed in this cause on the 3d day of July A.D. 1884 dismissing petition for rehearing.

A. W. Machen and
Richard Bernard
Solrs for Elizabeth H. Collins and Richard Bernard administrators c.t.a. of John Eschbach, deceased.

Memorandum.

In making up the Record to the Court of Appeals in this case the Clerk was directed by verbal instructions received from the Solicitor for the Appellants to omit therefrom all the proceedings of the Auditor, viz: the accounts, testimony and Exhibits therewith; and upon this fact being made known to the Solicitor for the Appellees said Solicitor directed the Clerk to insert in the Record said proceedings before the Auditor, and accordingly the same appear at large in this Record.

Test: James R. Brewer. Clerk.