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in this case, to the Court of Appeals of Maryland.

Venable & Packard,

Solrs. for Defendants.

Affidavit for appeal waived.

William A. Fisher.

Which said appeal being by the Court here also granted, it is thereupon ordered by the Court here, that a transcript of the record of proceedings in the cause aforesaid, be transmitted to the Court of Appeals of Maryland, under the rules thereof; and the same is transmitted accordingly.

Test:- Alvin Robertson,

Clerk.

In testimony that the aforegoing is truly taken from the record and proceedings of the Circuit Court of Baltimore city, in the therein entitled cause.

I hereunto set my hand and affix the seal of the Circuit Court of Baltimore city aforesaid, this 2nd day of January, A. D. 1889.

(Seals Place)

Alvin Robertson,

Clerk of the Circuit Court of Baltimore city.

And now come into the Court of Appeals here, as well the said Robert G. H. Pennington and others by Richard M. Venable and Joseph Packard Jr. Esqs. their Attorneys as the said Emily H. Pennington and William C. Pennington by William A. Fisher, William C. Bruce and D. K. Este Fisher Esqs. their Attorneys and thereupon, on motion of the said Emily H. Pennington and William C. Pennington by their Attorneys aforesaid, it is ruled by the Court

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here, that the said Robert G. H. Pennington and others assign the errors in the Record of Proceedings aforesaid, or in the passing the Decree aforesaid, ss 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 Robert G. H. Pennington and others by their Attorneys aforesaid, say 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 Emily H. Pennington and William C. Pennington against the said Robert G. H. Pennington and others when by the law of the land, that Decree ought to have been given for the said Robert G. H. Pennington and others against the said Emily H. Pennington and William C. Pennington, 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 Robert G. H. Pennington and William C. Pennington may be restored to all things which they have lost by occasion of the said Decree and that the said Emily H. Pennington and William C. Pennington may rejoin to the errors aforesaid, and so forth; and thereupon it is ruled by the Court of Appeals here that the said Emily H. Pennington and William C. Pennington join in the errors by the said Robert G. H. Pennington and others above assigned in the Record of Proceedings aforesaid, or Decree by the Court of Appeals here, will be rendered