1815 Nov. 8	By Interest from date to 18 Aug. 1819				
	Balance due Plaintiffs				
		5041	112		
		710	66	1930	39
				2930	39

Nicholas Carberry et ethers vs Mary Millard et ethers | In Chancery March Term 1822

In obedience to an order of the Hon^ble the Court and by desire of the Plaintiffs counsel in this cause. The Auditor in his report has made four seperate statements. The first charges the Defendants with the annual rents of the land, while rents were paid. and Interest on each years rent. the second charges the Defendants with the annual value from the time Bennet Walker was seized the land. before Improvements were made, and on each years annual value. the third charges the Defendant from the time Improvements were made 10 per centum on their value which is added to the annual value of the Land and Interest charged on that amount annually. and gives credit to the Defendants for the amount of Improvements with Interest from the time of their erection. The three preceeding statements continue down to the filing the original bill in this cause to wit the 8th day of November 1815.

The fourth Statement continues the others down to the filing of the Auditors first report in this cause to wit 3d day of August 1819.

All of which is respectfully submitted. Lewis Ford Auditor

And the said cause so standing was continued from Term to Term of the said Court until August Term Eighteen hundred and twenty two when the said Mary Millard Jeremiah Booth and Ann Booth his wife, James Walker, Joseph Walker, Ann Walker & Milly Walker by their solicitors aforesaid suggested death of the said Nicholas Carberry one of the Complainants. and the said cause so standing from Term to Term of the said Court until August Term eighteen hundred and twenty four when the said Andrew Ochler & Rose Ann Ochler his wife by their solicitors aforesaid did suggested the death of the said Milly Walker one of the said Defendants. and the said cause so standing was continued from Term to Term of the said Court until August Term eighteen hundred and twenty six when the said Andrew Ochler and Rose Ann Ochler his wife file in court here the following Deed to wit.

This Indenture made the twenty sixth day of July in the year of our Lord eighteen hundred and fifteen between Arthur Thompson and Ann his wife of Saint Marys County and State of Maryland of the one part and Nicholas and Rose Anna Carberry children of the said Anna by her former marriage of the other part. Witnesseth that the said Arthur Thompson and Anna his wife as well for and in consideration of the natural love and affection which they the said Arthur and Anna his wife and bear unto the said Nicholas and Rose Anne Carberry as also for the better maintenance support, livelihood and preferment of them the said Nicholas and Rose Ann Carberry have given, granted, aliened, enfeoffed and confirmed and by these presents do give, grant, alien, enfeoff and confirm unto the said Nicholas & Rose Ann Carberry their heirs and assigns forever, all that Tract or parcel of Land lying and being in Saint Mary's County aforesaid called & Yielding Berry in which Milly Walker now lives containing by estimation sixty acres more or less together with all and singular, the houses, buildings, advantages, emoluments hereditaments, rents and back rents and appurtenances whatsoever to the said Tract or parcel of land and premises belonging or in any wise appertaining and the reversion and reversions, remainder and remainders, rents issues and profits of all and singular the said premises with their appurtenances and all the estate, right, title Interest, property, claim and demand whatsoever of them the said Arthur Thompson and Anna his wife of in and to the said Tract or parcel of Land and premises and of in and to every part and parcel thereof with their and every of their appurtenances. To have and hold the said Tract of Land and all and singular other the premises hereby granted and confirmed or mentioned or intended so to be with their and every

of their appurtenances unto the said Nicholas and Rose Ann Carberry their heirs and assigns to the only use and behoof of him the said Nicholas and Rose Ann Carberry their heirs and assigns forever. In Testimony whereof the said Arthur Thompson and Anna his wife have hereunto set their hands and seals the day and year first above written herein

Signed sealed and delivered in the presence of } Arthur Thompson (seal)
Ethelbt Cecil G Morgan } Ann Thompson (seal)

Maryland. Saint Marys County to wit Be it remembered that on this twenty sixth day of July in the year of our Lord eighteen hundred and fifteen personally appears Arthur Thompson and Ann Thompson his wife of Saint Marys County aforesaid the parties grantors named before us the subscribers two Justices of the peace in and for the County aforesaid and acknowledged the foregoing Deed or Instrument of writing to be their act and Deed and the Land and premises therein mentioned to be the right and Estate of the within named Nicholas and Rose Anne Carberry parties (grantors also therein named their heirs and assigns forever according) the purport true intent and meaning thereof and the acts of Assembly in such case made and provided. And the said Anna Thompson wife of Arthur Thompson aforesaid being by us privately examined apart (out of the hearing of her said husband whether she doth make her acknowledgement of the same willingly and freely and without being induced thereto by fear or threats of ill usage by her husband or fear of his displeasure acknowledges that she doth make her acknowledgement of the same willingly and freely and without being induced thereto by fear or threats of ill usage by her husband or fear of his displeasure. Ethelbt Cecil G Morgan

Recorded the 26 day of July 1815. Test Copy. So. Harris clk

And the said Mary Millard, Jeremiah Booth and Ann Booth his wife James Walker, Harriet Walker, Joseph Walker and Ann Walker by their solicitors aforesaid file in court here their objections to the Auditors report last aforesaid made and which are in the words following to wit

And^w Ochler & wife vs Mary Millard et ethers | In Equity.

The Defendant objects to the report.

No 1 Because the said said report extends back to a longer period than three years before the filing of the bill or the final Decree.

No 2. The same objection as 1.

No 3 The same objection as 1. Because it charges Defendants with Interest on the money expended in the Improvement.

No 4 The same objection as 1. Because it charges Interest on the rents and Improvements until the respondent is not credited with value of Improvements. but only with Interest on the money expended in the Improvements.

No 5 The same objection as No 1 and the same as in No 3 and the respondent is credited with Interest only the cost of Improvements from 1 January 1795 to 1 January 1815.

No 6 The same objection as No 1. Because it charges respondent with Compound Interest

G Dorsey.

And the parties aforesaid by their solicitors aforesaid file in court here the following agreement to wit

And^w Ochler and Rose Ann his wife vs Mary Millard et ethers | In Chancery

It is agreed and admitted in this cause. that the Defendants and those under whom they claim are the heirs at Law of Bennet Walker and his legal representatives. that he died in 1809 intestate leaving a real Estate of the value of $9000 which has been under a commission of partition of the real Estate of the said Bennet reported unsusceptible of devision, and elected by James Walker the Eldest male heir. who gave Bond and security in the usual form.

G Dorsey. H Ashton

And the said Andrew Ochler and Rose Ann his wife by their solicitors aforesaid suggest to the court here the death of the said Jeremiah Booth and Ann Booth his wife. And Mary Millard three other Defendants and that John Llewellin and Mary Llewellin his wife are heirs at Law of the said Jeremiah Booth and Ann Booth his wife and that Mary Ann