several other States for more than three successive weeks before the day of sale they did in pursuance of said notice attend on the premises at Elliotts Mills on the twenty first day of June 1841 at twelve Oclock and then and there proceeded to offer the said real estate for sale when not obtaining a bid the property was withdrawn and offered at private sale but not being able in this way to dispose of it it was again offered at public auction upon the terms and at the place aforesaid on the twelfth day of October 1842 after a longer notice than required by the decree had been given by advertisement in the papers aforesaid of the time place terms and manner of sale when the highest bid made for said property was twelve thousand one hundred and fifty ($12150) dollars. That the trustees in conformity with the understanding existing between them and the other parties interested including Thomas Tyson the father and guardian of the infant Elizabeth Tyson that said property should be limited to fifteen thousand dollars ($15,000) refused the said bid and again advertised it at private sale and made unusual exertions to obtain a purchaser on favorable terms without success when it was thought advisable by the trustees and the parties interested to sell the said property for ten thousand ($10,000) dollars if so much could be obtained for it that the assent of the said Thomas Tyson father of the said infant Elizabeth is contained in the letter filed with the report marked A and dat.d the 4th of April 1843 and that said Tyson between two and three months since called upon one of the Trustees Robert Mickle and expressed his desire that the property should be sold and for the above sum. That the trustees although they made every effort to dispose of the said property could not obtain an offer for it even to the amount of ten thousand ($10,000) dollars until they were offered that sum on the 4th of December 1843 by W.P. Jenks which they accepted and sold the said property to said Jenks for the sum of ten thousand ($10,000) dollars in cash on the final ratification of the sale as will appear by the written contract of sale herewith filed marked B. That said sale is approved of and desired by all the parties interested except the said Tyson as will appear by their prayer contained in paper B. that since said sale has come to the knowledge of said Tyson and notwithstanding his previous assent that ten thousand ($10,000 dollars should be taken for said property he objects thereto and says it ought to have brought a larger sum and has requested the trustees to report his objection to your Honour. All which is respectfully submitted.

R. Mickle
G. L. Dulany, Trustees.

A

Montgomery County 4 mon 8th 1843

R. Mickle and G. L. Dulany Trustees.

R. Mickles letter of the 3 inst. reached me yesterday informing of an offer you have had of $10,000 for the Rolling Mill property certainly a great sacrifice but all things considered am willing to let it go for that price if you cant possibly get more of course you will have one cash payment. Respectfully your friend Thomas Tyson

In case the purchaser does not intend it for an Iron establishment perhaps you can reserve the old Iron and machinery.

Robt Mickle Cash. Baltimore Md. T.T.

B. I hereby offer Grafton L. Dulany and Robert Mickle Trustees for the rolling mill property at Elliotts Mills consisting of three tracts of land say about 94 acres in all with the buildings and appurtenances thereunto belonging Ten thousand dollars in cash on the ratification of this sale by the Chancellor of Maryland and on delivery of a good and sufficient deed of conveyance of the same to me in fee.

December 4th 1843. W.P. Jenks.

Executed in duplicate.

The above offer we hereby accept subject to ratification by the Chancellor.

G. L. Dulany. R. Mickle.

The undersigned hereby approve of the above and pray his Honor the Chancellor to confirm the sale forthwith.

R. Mickle, Trustee of Iona Elliott Veom,
J. M. Gordon President of Union Bank of Md.
E. J. Elliott & Co.
A. & J. Elliott & Co.
Elias Elliott.

State of Maryland } On this eighteenth day of December eighteen
City of Baltimore Set. } hundred and forty three personally appeared before the subscriber a Justice of the peace in and for the said City G. L. Dulany and Robert Mickle Trustees within named and made oath that the matters and things stated in the foregoing report are true to the best of their knowledge and belief and that the sale therein reported was fairly made.

J. Hanson Bell.

On which report the Chancellor passed the following order.

In Chancery 19th December 1843.

Ordered that the sale made and reported by G. L. Dulany and Robert Mickle Trustees in the case of Tyson and others against Robert Mickle & others be ratified and confirmed unless cause to the contrary thereof be shewn on or before the nineteenth day of February next. Provided a copy of this order be inserted in some paper printed at Baltimore City once in each of three successive weeks before the nineteenth day of January next. The Report states the amount of sales to be Ten thousand dollars. Theodorick Bland, Clk.

And afterwards to wit on the 8th day of February 1844 the Trustees aforesaid filed in the said cause a certificate of the due publication of the aforegoing order in the words following to wit.

In Chancery 19th December 1843.

Ordered that the sal made and reported by G. L. Dulany and Robert Mickle Trustees in the case of Tyson and others against Robert Mickle and others be ratified and confirmed unless cause to the contrary thereof be shewn on or before the 19th day of February next. Provided a copy of this order be inserted in some newspaper printed at Baltimore City once in each of three successive weeks before the 19th day of January next. The report states the amount of sales to be ten thousand dollars.