and acknowledged made an account of the aforesaid mortgage debt as specified in said papers this admission however being confined to the facts, all legal questions and inferences therefrom arising being expressly reserved — That the paper marked Exhibit W. G. is the original bond from George Fitzhugh Senior to Upton Scott mentioned in and secured by the mortgage from George Fitzhugh Senior to Walter Dulany already hereinbefore mentioned and the due execution of the assignment thereon endorsed is likewise admitted, That the defendant George Fitzhugh Senior deceased occupied the premises mortgaged as aforesaid until the year eighteen hundred and twenty one in virtue of his legal title thereunto at which said time Daniel D Fitzhugh became the purchaser of his said fathers interest and retained the possession thereof until the year eighteen hundred and thirty six when his said father died since which time the said Mary and Daniel and after his decease the heirs of the latter have enjoyed their respective rights in and to said premises, no legal impediment having at any time existed to exclude said Mary from the exercise of any legal or equitable rights which she may have had —

Geo. Gordon Bett —
G. L. Dulany —
S. Jackle Wallis, Solr. for deftts.

It is further agreed that the complainant shall be entitled to the benefit of his several decrees pro confesso against defendants hereto and that as to the defendants who have answered this statement of facts is to be treated as in aid of proofs after a general replication and nothing in this agreement shall be construed to admit the Plffs right to a decree agt. any property of George Fitzhugh Sr. which he shall not by the pleadings proofs & facts agreed show to be embraced within his lien —

G. L. Dulany & S. J. Wallis, Solrs. for deftts.
Hr. S. Alexander for Compt —

And afterwards to wit on the 11th day of April 1842 the auditor of the court of Chancery files in the said cause his report and accounts in the words following to wit —

William S. McPherson adm. de bonis non of Lewis Nesbitt decd.
vs.
Henry M. Fitzhugh, Elizabeth Fitzhugh and others.

In Chancery 25th March 1842 —
The auditor reports to the Honorable the Chancellor that in compliance with the instructions of the solicitors for the defendants he has examined the proceedings in this cause and therefrom stated sundry accounts according to said instructions herewith submitted marked No. 7. 8. 9. 10 in all of which he has charged George Fitzhugh, Mary Fitzhugh and Daniel D Fitzhugh with the several sums of £ 230 and £ 400 currency as per the account of the auditor filed on the 14th December 1835 with his report — In account No. 7 the auditor has compounded the interest on these sums on the 2d March 1812 and on the 22d April 1822 in account No. 8 he has compounded the interest on the 22d April 1822 only in account No. 9 he has added

interest on £ 400 currency only compounding it on the 22d April 1822 and in account No. 10 he has charged interest on said £ 400 currency only without compounding and in all of said accounts has credited all the payments shown by the proceedings — He further reports that he was also instructed to prepare an account charging simple interest only on both of said sums crediting all payments appearing in the proceedings but he submits that the auditors account filed on the 14 Decr 1835 marked No. 1, was stated in that manner and he has not therefore thought it necessary to comply in this respect with the Defendants instructions —

All which is respectfully submitted —
Cornelius McLean, Aud. —

— Account No. 7 —

Dr. George Fitzhugh, Mary Fitzhugh and Daniel D Fitzhugh to William S. McPherson adm. D. B. N. of Lewis Nesbitt decd —

1791					Dolls	cts
Oct.	10	To amount of debt secured by deed of Trust from George Fitzhugh to Walter Dulany marked Complainants Exhibit A. and also by mortgage from Mary Fitzhugh and others assigned to complainants intestate and marked L. G. No. 1 filed with the commission 30th April 1834 — — — — — — — — —	£ 230	67	613	33
Nov.	4	To amount of debt secured by mortgage above stated assigned to complainants intestate	£ 400	67	1066	67
		Int on $613.33 from 10th Oct 1791 to 24 Sep. 1807 15 y 11 mo 14 ds — — — —			587	16
		Int on $1066.67 from 4th Nov. 1793 to 13 y 10 mo 20 ds — — — —			888	89
		Then paid to Thomas Buchanan as per paper marked J. B. No. 1 — £ 80.17.6 2d — —			3156	05
					215	62
					2940	43
		Int on $1650 from 24 Sep. 1807 to 23d Ap. 1808 6 m 29 ds — — —			58	53
					2998	96
		Then paid to Thomas Buchanan as per paper marked J. B. No. 2 — — — — — —			107	79
					2891	17
		Int on $1680 from 23d Apl. 1808 to 2d March 1812, 3 y 10 mo 9 ds — — —			388	92
					3280	09
		Int on $3280.09 from 2 March 1812 to 22 Ap 1822 = 10 y 1 m 20 ds — — —			1995	39
					5275	48
		Int on $5275.48 from 22d Ap 1822 to 22d Ap 1823 — 1 y — — — —			316	53
					5592	01
		Then paid as per Complainants Exhibit E — — — —			354	90
					5237	11
		Int from 22d April 1823 to 15 Ap 1824 —				