of the Decree aforesaid. — Therefore the Court of Appeals here proceeded to pass such a Decree as the Court of Chancery ought to have passed.

W. W. McClellan, } Court of Appeals, W. S.
vs.
William Crook, } June 1846.

This cause coming on to be heard having been argued by Counsel for both parties and fully considered by the Court, It is thereupon this twenty sixth day of June in the year of our Lord one thousand eight hundred and forty six By this Court and by and with the authority thereof ordered adjudged and decreed that the Decree of the Court of Chancery of the sixteenth day of December in the year eighteen hundred and forty four be and the same is hereby reversed with costs, to the said appellant in this Court and this Court having ordered an audit in this cause do hereby ratify and confirm the account marked B and for the purpose of enforcing the payment of the claims therein mentioned, It is hereby further ordered adjudged and decreed that the said cause be and the same is hereby remanded to the Court of Chancery and that unless the said William W. McClellan the appellant shall pay into the said Court the sum of four hundred and eighty five dollars and forty nine cents with interest on the sum of three hundred and seventy nine dollars and twelve cents from the 19th November 1844 until so brought into the said Court of Chancery, on or before the first day of April next, that then the said mortgage premises shall be sold for the payment of the said sum and interest under the orders & decrees of the said Court of Chancery according to the usual course of the said Court in such cases and that Samuel H. Taggart and St George W. Teackle be and they are hereby appointed Trustees to make said sale, they first giving bond to the satisfaction and approval of the Chancellor for the due execution of the Trust reposed in them by this Decree and make report of such sales as usual in such cases according to the course of the Court of Chancery.

(Signed) Stevenson Archer.
E. F. Chambers.
A. C. Magruder.
Robert N. Martin.

And in pursuance of the aforesaid Decree the special Auditor named in this cause at the same time, files in Court here his statement of claims, marked Account B, and which is in the words and figures following to wit.

Account B.

William W. McClellan, } Court of Appeals W. S.
vs. June 1846.
William Crook. } No. 12.

Statement of Claims made by the Clerk of the Court of Appeals, as special auditor, against the mortgaged premises.

1	Williams Crooks Claim.				
	By amount of principal of mortgage 12 Feb. 1840			2000	"
	Interest then due	89	33		
	" to 14 May 1840 - 3 m 2 d	30	67	120	"
				2120	"
	To 1 yrs rent due 14 May 1840			400	"
				1720	"
	To 1 yrs rent due 14 May 1841	400	"		
	By 1 yrs Int on $1720	103	20	296	80
	To 1 yrs rent due 14 May 1842	400	"	1423	20
	By 1 yrs Int on $1423.20	85	39	314	61
	To 1 yrs rent due 14 May 1843	400	"	1108	59
	By 1 yrs Int on $1108.59	66	51	333	49
	To 1 years rent due 14 May 1844	400	"	775	10
	By 1 yrs Int on $775.10	46	50	353	50
	To rent from 14 May 1844 - 19 Nov. 1844 - 6 - 5	206	66	421	60
	By Int 6.5 on $421.60	12	95	193	71
				227	89
	By Taxes paid			191	80
	By Costs in Chancery			65	80
	To Costs of appellant in this Court	71	95	485	49
	" " appellee	29	76		
	" " of this audit	4	66	106	37
				379	12
2	Richard W. Gill Clerk claim for his fees unpaid & for this audit	99	71		
3	Charles F. Mayer att'y fee	6	66	106	37
				485	49

R. W. Gill S. A.
2 March 1847.

Test. — Richard W. Gill — Clerk.