want it, add the interest to the original for 12 months, and make it payable 12 months from the date, I mean the maturity of the original say 9th April 1836. I ask the favor of this extension from the very unpromising prospect of my present growing wheat crop I may say with truth the total failure, for I shall have my seed wheat to purchase next seed time. The severity of the winter & the fly together has destroyed at least 2/3 of the present crop in the county. I am still very feeble, the few warm days we had was of great service to me but to day, the sudden change has thrown me back. I hope you enjoy your health. Mr Cunningham desires to unite with me in wishing you every enjoyment in life. I remain truly & most sincerely yrs.

James Cunningham.

Charles Oliver, Esq.

Charles Oliver Esq. Baltimore.

Exhibit D. M. P.

Filed with Commissioners, March 26th 1846. Frederick Pinkney, B. C. Presstman, Comrs.

Exhibit 1.

The State of Maryland, Baltimore County, Sc. The subscriber Register of Wills for Baltimore County doth hereby certify, that it appears by the Records in his office that letters of administration of all the goods, chattels, and credits of Robert Oliver deceased, was on the tenth day of June in the year of our Lord one thousand eight hundred and thirty five, granted and committed unto Robert McGibbs, Charles Oliver and Thomas Oliver, the executors by the last will and testament of the said deceased, appointed.

In Testimony whereof, I hereunto subscribe my name and affix the seal of my office this twenty sixth day of October in the year of our Lord eighteen hundred and forty two.

(Seal)

Test. D. M. Perine Register of Wills for Baltimore County.

Exhibit No. 1. Filed with Commissioners March 26th 1846.

F. K. Pinkney Comr.

Exhibit 7.

State of Maryland, Frederick County, to wit.

I certify that it appears from the records of my office that the personal estate of James Cunningham, late of Frederick County deceased, is not sufficient to pay the debts of said deceased.

In Testimony whereof I hereto subscribe my name and affix the seal of office this 28th day of September 1842.

(Seal)

G. M. Eichelberger, Reg. of Wills Frederick County, Maryland.

Exhibit No. 7. Filed with Commrs. March 26. 1844.

F. K. Pinkney Commr.

And afterwards, to wit, on the ninth day of April one thousand eight hundred and forty six came the said Richard G Stockett by his counsel aforesaid, and filed in the said cause his application in the words following to wit.

In Chancery.

Robert McGibbs & others, vs William G Cunningham & others.

To the Honorable Theodorick Bland, Chancellor of Maryland. Richard G Stockett of one the defendants hereto respectfully shews

that he is sued as one of the Trustees under the will of Larkin Shipley deceased and relief is prayed against him by a Decree for a sale of certain mortgaged premises held under said trust. That in his answer filed to the bill this defendant insisted that he should be pedumed and refused his assent to a decree for a sale as prayed. That further reflection has convinced him that a sale would be advantageous to all parties, and especially because of his belief that the mortgage debt can only be paid by a sale of the mortgaged premises and he hereby (subject to your Honors approval) consents that a decree may be passed for a sale of the mortgaged premises the proceeds to be applied in the first place to the payment of the principal and interest due on said mortgage & his costs of suit.

Th. S. Alexander.
for R. G. Stockett.

And afterwards to wit on the thirteenth day of April one thousand eight hundred and forty six the Chancellor passed his decree in the said cause, which was duly enrolled in the words following to wit.

Robert McGibbs & others, vs William G Cunningham & others.

In Chancery, March Term 1846.

This cause standing ready for hearing and being submitted without argument the proceedings were read and considered. It is thereupon this thirteenth day of April in the year eighteen hundred and forty six by Theodorick Bland Chancellor and by the authority of this Court adjudged ordered and decreed that the real estate of James Cunningham deceased in the proceedings mentioned or so much thereof as may be necessary for the payment of his debts be sold. That George Schley of Washington County be and he is hereby appointed trustee to make such sale, whose course and manner of proceeding shall be as follows. He shall first file in the Chancery office a bond to the State of Maryland executed by himself with a surety or sureties to be approved by the Chancellor in the penalty of twenty thousand dollars conditioned for the faithful performance of the trust reposed in him by this decree or which may be reposed in him by any future decree or order in the premises. He shall then proceed to sell the said real estate having first given three weeks previous notice in some newspaper or papers and such other notice as he may think proper of the time, place, manner and terms of sale, which terms shall be one third cash on the day of sale or on the ratification thereof by the Chancellor at the discretion of the trustee and the residue in one and two years from the day of sale, the whole purchase money to bear interest from the day of sale and the payment thereof to be secured by the bonds of the purchasers with a surety or sureties to be approved by the trustee, and as soon as may be convenient after any such sale or sales the said trustee shall return to this Court a full and particular account thereof with an affidavit of the truth of the same and of the fairness of such sale or sales annexed. And on the ratification of such sale or sales by the Chancellor and on the payment of the whole purchase money and not before the said trustee by a good and sufficient deed, to be executed acknowledged agreeably to law shall convey to the purchaser or purchasers of said property and to his her or their heirs the property to him her or them sold free clear and discharged of all claim of the parties to this equity and of any person or persons claiming by from or under them, and the said trustee shall bring into this Court the