first file with the Register of this Court 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 eight 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 order or decree in the premises he shall then proceed to make the said sale having at first given at least three weeks previous notice inserted 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 for cash, 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 of the same with an affidavit of the truth thereof, and of the fairness of such sale or sales annexed. And on the ratification of such sale 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 and 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 cause, and of any person or persons claiming by from or under them or any of them And the said trustee shall bring into this Court the money arising on such sale or sales and the bonds which may be taken for the same to be disposed of under the direction of this Court after deducting therefrom the costs of this suit and such commission to the said trustee as the Chancellor shall think proper to allow on consideration of the skill attention and fidelity wherewith he shall appear to have discharged this trust,

John Johnson Chr

And afterwards towit on the 26th day of July 1848 the Auditor of the Court of Chancery filed in the said cause his report in the words following towit:

Francis Hollins as Smith Thompson & Horace Capron } In Chancery 24th July 1848.

The Auditor reports to the Honorable the Chancellor that he has at the request of the Solicitor for the Defendant Capron examined the proceedings in this cause and therefrom stated account A herewith submitted for the purpose of ascertaining the amount of the several mortgage debts in the said proceedings mentioned from which it appears that the claim of the defendant Capron as of the date of this report amounts to the sum of Two thousand one hundred and fifty seven dollars and sixty seven cents with interest on two thousand dollars part thereof from this day and that of the Complainant Hollins as of the same date to the sum of five thousand two hundred and three dollars and ninety seven cents with interest on four thousand five hundred and twenty three dollars and forty six cents part thereof from that date, He further reports that the mortgage in favor of the defendant Capron is the first incumbrance upon the mortgaged estate and entitled to priority of payment, The Auditor further reports that there is now due on the mortgage of the Complainant only the sum of eight hundred and twenty five dollars and thirty three cents the balance of principal and interest on the instalments payable before the ninth day of January next and the sum of three hundred dollars for interest to the ninth of April last on the two thousand dollars

Dr. The Mortgaged Real Estate of Smith Thompson in acct with Horace Capron Deft and Francis Hollins Complt

1848			Dolls	cts	Dolls	cts
July	24	To Horace Capron Trustee for Mary Herbert for his mortgage debt as per mortgage filed Claim No. 1.	2000	00		
		Int from 1st Apl 1847 1y 3m 23ds	157	67	2157	67
		To Francis Hollins Complt for his mortgage debt as per mortgage filed Claim No. 2	5396	25		
		Credit on Instalment as per bill	849	16		
		Int on $849.16 from 9 Oct 1845 to	4547	19		
		30 Apl 1847 1y 6m 21dys	79	39		
			4626	58		
		Then Credits endorsed on Exhibit 4	103	12		
			4523	46		
		Int on $523.33 from 30 Apl 1847 1y 2m 24dy	61	07		
		Int on $3698.13 from 9 Oct 1845 2y 9m 15dys	619	44	8203	27
					7361	64

note payable five years after date with interest semiannually, As this note has not been produced and there is no allegation that there is any thing due it may be that the interest as it became due has been paid, This would seem probable from the fact of a credit of one hundred and three dollars and twelve cents being endorsed as of the thirtieth of April eighteen hundred and forty seven on the note for eight hundred and forty nine dollars and six cents due on the ninth of January last the mortgage claim of the defendant Capron will not be due until the death of Mary Herbert the wife of John C Herbert except the sum of one hundred and fifty one dollars and sixty seven cents the interest for five quarters and five days which became due on the sixth instant, the interest on the said claim being payable quarterly during the life of the said Mary. All which is respectfully submitted.

Cornelius McLean Aud

And afterwards towit on the 30th day of September 1848 the Trustee named in the said Decree filed in the said cause his trust bond duly approved by the Chancellor in the words following towit:

Stamp four dollars

Know all men by these presents that we John Glenn and Thomas J Pratt of the City of Baltimore and State of Maryland are held and firmly bound unto the State of Maryland in the just sum of eight thousand dollars to be paid to the said State or its certain Attorney to which payment well and truly to be made, we bind ourselves and each of us, our and each of our Heirs executors and administrators jointly and severally firmly by these presents sealed with our seals and dated this 27th day of September 1848 Whereas the above bounden John Glenn by virtue of a decree of the Honorable the Chancellor of Maryland hath been appointed Trustee to sell the property mentioned in the case of Francis Hollins as Smith Thompson and Horace Capron, Now the condition of the above obligation is such That if the above bounden John Glenn do and shall well and faithfully perform the trust reposed in him by said decree or that may be reposed in him by any future decree or order in the premises, then