sitting as a Court of Equity. This being a proceeding under the Act of 1833. Ch: 181 Entitled "An Act relating to Mortgages, and being submitted, and the petition, mortgage, Promissory Note and all the other proceedings were by the Court read and considered. It is therefore this 6th day of December in the year 1842 by Baltimore County Court Adjudged ordered and decreed that unless the said Elizabeth Osborne shall on or before the first day of December 1847 pay unto the said Samuel H. Goldsmith, or bring into Court to be paid to him the sum of Twenty one thousand five hundred Dollars and interest thereon from the 25th day of November 1842 and costs of this proceeding the said Mortgaged Lots of ground mentioned and described in the said Indenture of Mortgage shall be sold and William H. Collins be and he is hereby appointed Trustee to make said sale and that the time and manner of this proceeding shall be as follows. He shall first file with the Clerk of this Court a bond to the State of Maryland executed by himself and a surety or sureties to be approved by this Court or some one of the Judges thereof, in the penalty of Forty thousand Dollars, conditioned for the faithful performance of the trust reposed in him by this decree or to be reposed in him by any future or order in the premises. He shall then proceed to make the said sale having given at least three weeks notice by advertisement inserted in such Newspaper or Newspapers as he shall think proper of the time place manner and terms of sale, which shall be one third Cash on the day of sale and the residue in two Equal payments in six and twelve months with interest from the day of sale the credit payments to be secured by notes with security to be approved by the said Trustee, and as soon as may be conveniently after any such sale or sales the said Trustee shall return to this Court a full and particular account of his proceedings relative to such sale with an affidavit annexed of the truth thereof and of the fairness of such sale and on obtaining the Courts ratification of the sale and on the payment of the whole purchase money (and not before) the said Trustee shall by a good and sufficient deed to be executed, acknowledged and recorded according to Law convey to the purchaser or purchasers his her or their heirs the property and Estate to him her or them sold free clear and discharged from all claim of the parties hereto complainant and defendant and those claiming by from or under them or either of them. And the said Trustee shall bring into this Court the money arising from said sale to be distributed under the direction of this Court after deducting the costs of this Court and such commission to the said Trustee as the Court shall think proper to allow in consideration of the skill attention and fidelity wherewith he shall appear to have discharged his trust. Provided that no sale of the said mortgaged property or any part thereof shall take place until the said Samuel H. Goldsmith shall file with the Clerk of Baltimore County Court a statement of his mortgaged claim with his affidavit thereto annexed, in accordance with the acts of Assembly in such case made and provided.

R. B. Magruder

In Testimony that the foregoing is a true copy taken from Liber A.L.B. No. 40. Folios 451 &c of the Chancery Records of Baltimore County Court I hereto set my hand and affix

the seal of said Court this Eighth day of January Anno Domini Eighteen hundred and fifty one

(Seal)

A. W. Bradford Clk. Balto. Co. Court

Defendants No. 2. Filed 8th March 1851. John Carroll Com.

State of Maryland Baltimore County to wit:

At a County Court of the Sixth Judicial District of the State of Maryland begun and held at the Court house in the City of Baltimore in and for the County aforesaid on the first day of May in the year of our Lord one thousand Eight hundred and forty five.

Present

The Honorable Stevenson Archer Chief Judge
John Purviance & John C. Le Grand Associate Judges.

Nicholas Tracy Esquire Sheriff. A. W. Bradford Clk:

Among other were the following proceedings to wit:

Levi Benjamin vs Elizabeth Osborne — Be it remembered that at the above Term to wit on the fourteenth day of May in the year of our Lord 1845 came Levi Benjamin into Baltimore County Court here sitting as a Court of Equity and exhibited his petition in form following to wit:

Levi Benjamin vs Elizabeth Osborne — In Baltimore County Court as a Court of Equity. May Term 1845.

To the Hon: the Judges of Baltimore County Court sitting in Equity. The Petition of Levi Benjamin of the City of Baltimore respectfully shews that a certain Elizabeth Osborne by deed of Mortgage duly executed acknowledged and recorded mortgaged and conveyed to your petitioner certain property real situate in the City aforesaid, in said deed particularly mentioned and described and which is herewith filed as an Exhibit marked L.B. as part of this petition. That in said Mortgage Deed the said Elizabeth Osborne declares her assent to the passage of a decree by your Honorable Court for a sale of the hereby Mortgaged premises in accordance with the provisions of an act of the General Assembly of Maryland passed at December Session 1833. Entitled "An Act relating to Mortgages" And your Petitioner shows that the time limited for the payment of the mortgage debt mentioned in said Mortgage deed has elapsed and that the same remains unpaid that is to say the sum of Three Thousand dollars with interest from the twelfth day of April 1844. Your petitioner therefore prays that the property in the said deed mentioned may be decreed to be sold in conformity with the above cited Act of Assembly.

David Stewart Solr for Pltf.

The Exhibit referred to in the foregoing Petition is as follows to wit:

"Exhibit L.B.

This Indenture made this ninth day of April in the year of our Lord 1842 between Elizabeth Osborne of the City of Baltimore in Baltimore County in the State of Maryland of the one part and Levi Benjamin of the City County and State aforesaid of the other part, Whereas the said Levi Benjamin hath this day lent and advanced to the said Elizabeth Osborne the sum of Three thousand Dollars lawful money for which said sum the said Elizabeth Osborne hath passed and delivered