established against it.

Now The Petitioner prays leave here to set forth unto your Honor that the Ground Rents actually collected Constituting a part of said Estate) and Exhausted in the ordinary Expenses and that the unimproved portion of said Estate consisting of Eight acres of Land or thereabouts has hitherto borne no part of the heavy Expenses incurred in defending and preserving the whole Estate and the proceeds of which are largely required to pay the debts, decided and others likely to be decreed to be due from said Estate.

Wherefore the Petitioner Trustee as aforesaid prays your Honor to pass an order in the premises, authorizing and requiring him to offer for sale, and to sell so much of the said Estate being a part of a tract of land called Mettington, as shall be sufficient to balance the Expenses incurred and pay to that portion of the Estate which consists of ground Rent and to pay a proportion of the debts of the whole Estate the ground Rents and the Lots being directed to different parties Trustee requires that the burthens thereon on the whole Estate should be ratably apportioned.

Nath Williams Trustee

Filed March 1858. Grant and Gray for Petitioner.

And afterwards to wit on the 8th day of April in the year last aforesaid the Court passed the following Order in the said aforegoing petition to wit. In the Circuit Court for Baltimore City

March Term 1858

Upon the foregoing Petition Ordered by this Court this 8th day of April 1858 that the Matter of the foregoing petition be heard on the 15th day of April instant on a copy of the petition and of this order being served on the Counsel of the Complainants or one of them on or before the 10th day of April 1858. Wm Gw Krebs.

And afterwards to wit on the 10 day of April in the year last aforesaid the following admission of service of Copy of the said aforegoing Petition an Order was filed in said cause to wit,

Banks and others	In Circuit Court for Balto City
vs	Same of the Petition and Order Filed in this case
Williams and others	by N Williams Trustee aforesaid.

Filed Malcolm Campbell Solr

And afterwards to wit on the 19th day of April in the year last aforesaid the said Complainants by their Solicitor aforesaid filed in said cause the following Answer to the said aforegoing Petition to wit

In the case of Banks and others against Williams and others.

To The Honorable William Gw Krebs Judge of the Circuit Court of Balto City

The Complainant in this cause Daniel B Banks and Robert Renwick on behalf of themselves and the other Creditors in this cause say that they admit that the Court of Appeals in this case have decided a Number of the Claims filed to be valid ones, and entitled to be paid out of the proceeds of the property caused by the deed attached by these proceedings and that so far as said claims are concerned that said deed of trust to Williams is void and of no effect, and they also believe that there is such a sufficient amount of Funds in hands of said Trustee to pay said allowed claims but they deny that said Williams as such Trustee is entitled to an order to sell under said deed of trust any particular piece or parcel of said property or any part thereof under these proceedings to pay the claims allowed by the Opinions of the Court of Appeals because said deed of trust is a Trust, so far as it prevents the payment of the said claims. And your Petitioners are according to the practice of Courts of Equity in like cases Entitled to a Decree for the sale of said property to be applied to the payment thereof as was passed by this Honorable Court in the previous proceedings in this cause appointing said Williams Isaacs and Malcolm as Trustees to make said sales and to bring the proceeds into this Court to be applied under the directions of the Court. And they further state that this Court cannot regard said deed of trust as a bar and subsisting one which would be the case if the order prayed for should be granted.