the same place of the other part Witnesseth that for and in Consideration of the sum of Fifteen hundred dollars lawful money to the parties hereto of the first part paid by the party of the second part to the presents at or before the sealing and delivery hereof the receipt whereof is hereby acknowledged the said William W McClellan and Maria his Wife have granted bargained and sold aliened enfeoffed and Conveyed and by these presents do grant bargain and sell alien enfeoff and Convey unto the said Danice B Banks his heirs and assigns. All that piece or parcel of ground situate and lying in the City of Baltimore aforesaid, which is contained within the Metes and bounds Courses and distances following that is to say, Beginning for the same at the end of 35 feet nine inches from Charles Street on the East 150 feet Course of the lot conveyed to Christopher Johnston trustee of the Estate of Daniel Deady deceased by Henry Dorsey Gough and running thence to the end of said East line thence North parallel with Charles Street 16 feet 8 inches thence West parallel with Bank Street formerly called Wilks Street six feet thence North parallel with Charles Street 19 feet 10 inches to Bank lane aforesaid thence West on said lane Eleven feet one inch and one half and thence South parallel with Charles Street 36 feet 6 inches to the place of beginning) being the same piece or parcel of ground which was by Indenture dated the 6th day of October 1850 and recorded among the Land Records of Baltimore County aforesaid in Liber W G M No 134 folio 530 sublaid and assigned by a certain Richard A Shipley to a certain William Vance for the rest and residue of the term granted therein and other adjoining ground with the benefit of renewal under and subject to the payment of the Clear yearly rent of Two hundred dollars to which the same is now subject in the hands of John Jebson under a deed from John Purviance to him the said ground being at present covered by the Warehouses of said Jebson situate at or near the East intersection of Charles Street and Bank Lane and is a part of the ground which in connexion with other property commencing at the North East intersection of Baltimore and Charles Street was allotted and assigned to the said Maria M McClellan lately Maria Mitchell in the division and partition of the Estate of her late grand father Daniel Deady by a decree of the Chancery Court of the State of Maryland together with the improvements and appurtenances and the reversion and reversions remainder and remainders rents issues and profits thereof and especially the aforesaid clear yearly rent of Two hundred dollars reserved therein and issuing and payable thereout and all the Estate and interest right title use trust claim and demand whatsoever of the said parties hereto of the first part and each of them in unto and out of the said described ground and premises. To Have and to Hold the piece or parcel of ground and premises above described with the appurtenances unto the said Danice B Banks his heirs and assigns to the proper use and behoof of the said Danice B Banks his heirs and assigns forever subject however to the Estate term and interest of those claiming the leasehold interest therein under the aforesaid sublease and subsequent assignment thereof. And the said William W McClellan for himself his heirs Executors and administrators doth hereby Covenant with the said Danice B Banks his heirs and assigns in manner following that is to say that the said parties of the first part and their heirs the piece or parcel of ground and premises above described with the appurtenances from and against themselves and each of them their and each of their Heirs and all and every other persons and person legally or Equitably having Claiming or to claim any Estate or interest in or right or title to the premises through by or under them or either of them unto the said Danice B Banks his heirs and assigns shall and will warrant and by these presents forever defend. And also that the said parties of the first part and their heirs shall and will at anytime or times hereafter at the request and proper Cost and Charge in the law of the said Daniel B Banks his heirs or assigns do make execute acknowledge and deliver or cause and procure to be done made executed acknowledged and delivered such other and

further act or acts deed or deeds as shall or may be reasonably advised or devised and required by the said Danice B Banks his heirs or assigns or his or their Counsel learned in the law for the Confirmation of these presents according to the true first true intent and meaning hereof. In testimony whereof the said William W McClellan and Maria his Wife have hereunto subscribed their names and affixed their seals on the day and year first above written.

Signed sealed and delivered in the presence of John W Peale, Wm P Stewart

Wm W McClellan (seal.)
Maria McClellan (seal.)

Received on the day of the date of the foregoing Indenture from Danice B Banks the party of the second part therein the sum of fifteen hundred dollars the Consideration within expressed to be paid by him to us.

Witness John W Peale Wm P Stewart.

Wm W McClellan. (seal)
Maria McClellan. (seal)

State of Maryland City of Baltimore Sct. I Be it remembered and it is hereby certified that on this 28 day of May in the year of our Lord 1841 before the Subscriber two Justices of the Peace of the State of Maryland in and for the City of Baltimore aforesaid personally appear William W McClellan and Maria McClellan his Wife they being known to us to be the persons who are named and described as and professing to be the parties of the first part to the foregoing deed or indenture and do severally acknowledge the said Indenture or instrument of writing to be their respective act and deed the said Maria McClellan having signed and sealed said Indenture before us out of the presence and hearing of her husband and the said Maria being by us examined out of the presence and hearing of her said husband whether she doth execute and acknowledge the said freely and voluntarily and without being induced to do so by fear or threats of or ill usage by her husband or by fear of his displeasure declareth and saith that she doth. In testimony whereof we hereunto subscribe our names on the day and year aforesaid.

John W Peale, Wm P Stewart

Received to be recorded the 29th day of May 1841 at 1 O'clock P.M. same day recorded and examined.

Per Thos Nell Clk

In testimony that the foregoing is truly copied from Liber W M No 309 folio 93 &c one of the Land Records of Baltimore County (which records are now in my Custody) I hereto set my hand and affix the seal of the Superior Court of Baltimore City on this 13 day of November 1857.

Edward Dorsey Clk

The Exhibit referred to in the within Bill of Complaint is as follows to wit.

(Complainants Exhibit No 3.)

Catharine McClellan.
Mortgage to
Danice B Banks.

This Indenture made this 23d day of July in the year of our Lord 1844 Between Catharine McM McClellan of the City and County of Baltimore in the State of Maryland but at present in Brooklyn in the County of Kings and State of New York of the one part and Danice B Banks of the City of Baltimore aforesaid of the other part Whereas the said Catharine McM McClellan is and stands indebted to the said Danice B Banks in the sum of One thousand and Sixty dollars upon a promissory Note for that amount dated the day of the date of these presents drawn by a certain William W McClellan in favor of the said Catharine McM McClellan or order and by her endorsed payable at twelve Months after date and for the purpose of securing the payment of said promissory Note at maturity this Instrument is executed the Execution hereof being a Condition precedent to the lending by the said Banks