thereby to conduct these proceedings to their legitimate termination, are not impaired by this decree. They but in secure the claims of the prior Mortgagee and during the progress of these proceedings they can take enquiries and their respective amounts determined. They have both answered the Bill filed by these petitioners and thus submitted themselves to the jurisdiction of the Court in reference to their claims under the said Bill after they are definitely ascertained it would seem that they may if they think proper to adopt this course by petition & in the case in which this decree has been thus offered to pay the amount of the prior Mortgage and thus satisfy that decree. This course would take the place of the Bill to redeem in ordinary cases which otherwise seems to be superfluous. And as the subsequent Mortgagee after he has redeemed the prior may have the property sold to satisfy his claim, so these petitioners if they elect to adopt the course suggested may under the Bill have a decree to sell their property for the satisfaction of their Mortgages or they may at the hearing insist that the subsequent Mortgagee by bringing before the Court the prior Mortgage as they have done the right to a decree for the sale of the Mortgaged property free and clear of all incumbrances and that their right was unimpaired by the said decree and their claims a decree under their Bill whether such claim can be sustained and whether such decree be passed under the circumstances of the existing decree and are questions which I do not deem it necessary to determine now. entertaining these views I must continue the order suspending the sale,

Wm Geo Krebs.

Woodville and others vs Price Reed and others

In the Circuit Court for Baltimore City

In the matter of the Petition of the Complainants filed this 3d day of March 1858. The matter of the above mentioned petition standing for hearing and the said petition and answer and all the proceedings having been read and considered and the arguement of the respective Solicitors thereupon heard It is accordingly this 10th day of March 1859 by the Court Adjudged and Ordered that the said Augustus M. Price and Cornelius Slidder be and they are hereby directed and empowered not to enforce the sale of the Mortgaged premises under the decree referred to in the said petition until this Court further order and do further Order that the Trustees Benjamin M. Hough and J. Parlett Scott Esquires be and they are hereby directed not to proceed with the said sale until they shall be thereunto by this Court further Ordered and it is nevertheless provided that this order be and it is to be taken to be without prejudice to the rights of the respective parties hereby to be determined and admitted or to any other rights to take any proceedings whatever respecting in this cause or in the other cause mentioned and referred to in the said petition which may be proper and may not be inconsistent with the terms of this order

Wm Geo Krebs.

Fo 10 Mar 1859

William Woodville and others vs Seth Reed and others

Circuit Court for Baltimore City

To the Hon Wm Geo Krebs Judge of the Circuit Court for Baltimore City. The petition of the Complainants in this cause hereinafter shews that they long ago filed their Bill therein against Seth Reed and William Burgess among others that all of the defendants have answered except said Reed and Burgess. That said Reed was duly summoned and appeared by Solicitor in July 8th 1857 but has never answered and the said Burgess though returned summoned in March 30 1857 has never appeared or answered, Your petitioners pray therefore that they may have an interlocutory decree against said Reed and Burgess according to the Act of Assembly and a Commission to Frederick Pultney Esq to take testimony for and they will ever pray

Waller and Hamilton
S W Hall Jr for petitioners

The above petition having been heard and considered and it appearing to the Court that the said Seth Reed has appeared and has failed to answer and the said Burgess has been summoned and has failed to appear or answer as in said petition is charged It is thereupon by the Court this 19 day of March 1859 adjudged ordered and decreed that the petitioner are entitled to relief but it appearing to the Court to what manner and extent they are so entitled to be relieved it is further adjudged and ordered that a Commission issue as prayed to Frederick Pultney Esq a Commissioner of this Court expert to the Complainants to take such testimony as proof as may be produced before them and return the same to this Court.

Woodville and others vs Reed Price and others

Circuit Court for Baltimore City

It is agreed that the defendants Price and Slidder be and they are hereby relieved from the operation of the order of this Court on the petition of the Complainants passed March 10 1859 and that the property Mortgaged by Seth Reed and herein controversy may be sold under the decree in the case of Price and Slidder vs Reed and others It is hereby agreed that Thomas W Hall Jr Esq shall be joined with the trustees J. Parlett Scott and B M Hough Esq. as trustees and that the said decree shall be amended for that purpose and that the Complainant in this case shall have the right to contest before the Auditors of the Court the amounts claimed by Price and Slidder under their Mortgage, as well as the amount claimed under the Mortgage to David Reed to the same extent as if said decree had not been passed It is further agreed that the balance after paying what shall be ascertained to be due to Price and Slidder and to the assignee of David Reed if anything and all cost and expenses shall be paid into Court in the above entitled case

J Parlett Scott B M Hough for Trustees Slidder and assignees of David Reed
J Walters Jr W Hall for Complt

Ordered by the Court this 19 day of March 1859 that the order of the Court passed March 10th 1859 and referred to in the foregoing agreement of Counsel be and the same is hereby suspended in the operation under this agreement

Wm Geo Krebs

Fo 19 March 1859.

State of Maryland } To Frederick Pultney Esq Commissioner named on the part of the Complainants and defendants

Know you that you are appointed