And now at this day, to wit, the said first Monday in October being the third day of the said month, in the year of our Lord one thousand eight hundred and seventy come again into the Court of Appeals here, the parties aforesaid by their Attorneys aforesaid.

And thereupon afterwards on the 9th day of January 1871. the following Supplemental Record was by agreement filed in the words following to wit:

Richard Wells. admr &c vs Lewis W. Montgomery &c — In the Court of Appeals. Appeal from the Circuit Court of Baltimore City.

In the record of this case transmitted to the Court of Appeals, the following mistakes and omissions occurred and the undersigned begs to correct the record to make it correspond with these corrections.

The Assignment of Mortgage at the foot of page 3. should be signed L. T. Williamson.

It ought to be said after the Answers that a general replication was filed.

The Agreement of Counsel on page 10 ought to read as follows.

Montgomery &c. Exx of Williamson vs Daiger. &c. — In the Circuit Court of Baltimore City (Filed 8th November. 1869)

It is agreed in this case that the case-papers in the Circuit Court of Anne Arundel County, may be read, either in the Circuit Court of Baltimore, or in the Court of Appeals, but that the proceedings shall not encumber the record in either case.

Service Spencer
For Complainants,
Thos A. Leithiam
S. H. Pagart
For Respondents.

The endorsement on the back of the Promissory Note of Jos. Daiger Jr, on page 8, should be signed. L. T. Williamson.

And the following paper filed 17th May. 1869, was omitted altogether.

James Spencer, Julianna J. Spencer his wife. and others vs Joseph Daiger and wife. — Circuit Court for Anne Arundel County In Equity Feb 17th 1869.

To the Hon. The Judge of the Circuit Court for Anne Arundel County, sitting in Equity.

The Auditor respectfully reports that he has examined the proceedings for a resale of the real Estate in these proceedings mentioned, and has stated an account between the real real estate of Martha E. Saper the purchaser under the former sale and A. B. Wagner Esq. Trustee for the sale thereof which is herewith respectfully submitted, wherein he has applied the whole proceeds of such resale to the payment first to the Trustee of his commissions and expenses of said resale to the Complainants for their costs of proceedings for resale, and certain tax bills which were not filed at the time of the first account and the balance of such proceeds of resale he has applied to the payment in part to the trustee of the Amt. of the first purchase money. And further he has stated by way of memorandum the balance due to the Trustee by the said first purchaser Martha E. Saper. He has then credited the Trustee with the sum before assigned to him being the net amount of proceeds of sale, and as against the said sum charged the Commissions and expenses of Trustee for the first sale of Real estate of Joseph Daiger Jr. and assigned the same to said Trustee, as also to complete their costs, and the balance then remaining of the above said net balance he has assigned to the Complainants in payment in part of their mortgage claim. also showing by Memo. the balance still due. to the said Complainants for the full payment of their whole claim

The Auditor further reports that this account marked No. 3, is stated at the instance of the parties as directed through the Trustee, as a substitute for account marked No 2. heretofore stated by him. and he submits that the same be substituted instead of said account No 2.

All of which is respectfully submitted

C. H. Gantt
Auditor.