or their heirs, legal representatives or assigns, the property and estate to him, her or them sold, free, clear and discharged from all claim of the parties hereto, petitioner and mortgagor, 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 suit, and such commission to the said trustee as this 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 before the sale hereinbefore decreed shall be made, a statement of the mortgage claim, duly verified by affidavit as required by law, be filed in said cause.

J. Upshur Dennis.

Nov. 21, 1887.— Trustee's approved bond filed.

Dec. 12, 1887.— Statement of mortgagee's claim for balance of $15,283.15 in due form filed.

Dec. 17, 1887.— On this day the trustee filed a report of sales of lots Nos. 1, 2, 3 and 4, described in mortgage as made on December 14, at public auction, after due notice, upon which the following order nisi was passed:

Frederick Wehr, Frederick H. Gottlieb, copartners, trading as Wehr, Hobelman and Gottlieb vs. Elizabeth M. Berger	In the Circuit Court of Baltimore City. December 17th, 1887.

Ordered, that the sales of the property mentioned in these proceedings, made and reported by Herman H. Hobelmann, trustee, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 18th day of January next, provided a copy of this order be inserted in some daily newspaper printed in Baltimore once in each of three successive weeks before the 11th day of January next.

The report states the amount of sales to be $11,000.

Alvin Robertson,
Clerk.

Memorandum.— In the advertisement of sales, a copy of which is filed with the above report, only the real and leasehold property described in the mortgage is advertised to be sold by the trustee under the decree in this case, the chattel property being advertised to be sold by the mortgagees on the same day under the power contained in the mortgage. No mention is made of these chattels in the trustee's report of sales, but a sale of them by the mortgagees is reported in a report by the latter, filed in the same case December 30, 1887, several days after the filing of the exceptions of the appellants, and no exceptions were filed to the sale of said chattels so reported, and said sale was accordingly ratified and confirmed January 18, 1888.

Test:— Alvin Robertson,
Clerk.

Exceptions of Bernstein and Others.
(Filed 24th December, 1887.)

Wehr, et al., vs. Berger, et al.	In the Circuit Court of Baltimore City.