deceased, to wit: Marshall Chapman trustee in the place, room, and stead of the said John G Chapman, to execute said deed of trust. ~

And your Orators unto your Honors further represent and show, that after the execution of the said deed of Trust from the said "Weaverton Manufacturing Co" to the said Geo. John G Chapman, to secure the said Bondholders of said Company and for the other purposes therein Mentioned. The said "Weaverton Manufacturing Company", to wit, on the Seventeenth day of October, in the year 1857 Executed to Caspar W. Weaver of Frederick County, a Mortgage of all and singular their real estate, called "Weaverton" lying and being in Frederick County in the State of Maryland, together with all the rights and privileges, appurtenances, dams, ways, waters, watercourses and sluices, whether situate in Frederick County, aforesaid or in Washington County. to secure to the said Caspar W. Weaver, various sums of Money, amounting in the aggregate to some Fifteen thousand dollars, which Amounts of money were never paid by the said Company ~ That on the 23rd day of April in the year 1854, Caspar W Weaver, by Frederick A Schley his solicitor filed his Bill of Complaint in your Honorable Court as a Court of Equity, setting forth and alleging the fact of the Execution of said Mortgage, by the said Company to him the said Caspar W Weaver ~ The further facts of the principal and interest being still unpaid upon said Mortgage, and praying a sale of the said property of the said "Weaverton Manufacturing Company ~ That on the 25th day of January in the year 1865. a decree was passed by your Honorable Court, for the sale of said property, And that Frederick A Schley Esq was appointed Trustee to make said sale. That on the 8th day of March 1860, William P Maulsby was appointed to make said sale under said decree, in the place and stead of Frederick A Schley dec^d. That on the 13th day of April 1860, the said William P. Maulsby, proceeded to make sale of said property, and sold the same to Caspar W Weaver at and for the sum of $10.000, which sale was finally ratified and confirmed by this Honorable Court, on the 21st day of May in the year 1860. ~

All of which proceeding together with a Copy of said Mortgage to Caspar W. Weaver, will fully appear by reference to the papers and proceedings in No 2537 Equity, which papers and proceedings are hereby exhibited and made a part of this Bill of Complaint.

But your Orators allege that although said property has been sold as alleged, and as appears from the said proceedings in No 2537 Equity, And the sale thereof ratified, yet no money has ever been paid upon said purchase, and, and no deed of Conveyance has ever been made to Caspar W. Weaver for the same, and even if there been had been, your Orators are advised that such a fact would not destroy their prior lien under the Deed of Trust to John G Chapman, or impair their right to a sale of said property for the purpose of Satisfying said lien. ~

Your Orators unto your Honors further represent and show, that since the said sale of the lands &c, of the Weaverton Manufacturing Co. Caspar W. Weaver the Mortgagee of said Co. has departed this life intestate, and that Thomas H. Crampton has been appointed his Administrator. Also, that the said Caspar W. Weaver left at the time of his death the following personal representatives and heirs at law, all of whom are of full and lawful age and all now residents of the State of Maryland, being residents of the State of Ohio ~ To Wit Adam Weaver Catharine Weaver who married William Collins, Charlotte Ann, Widow of, & Co Sam Patrick W. Weaver and Virginia W Weaver. ~

And your Orators further represent and show unto your Honors, that it would be greatly to the interest and advantage of all the parties concerned to have a sale of the entire interest right and title of all the parties concerned in said real Estate &c., of the said Weaverton Manufacturing