

NO 2951 Equity.

Rachel B. receipted for the same as your orator is further informed and did not pay the same to your orator to hold according to the provisions of the deed of trust, nor hath she receipted to nor discharged your orator from all liability for the same in any manner.

And your orator charges that immediately after the consummation of said marriage, to wit, in the spring ensuing, or before the expiration of the lease existing upon said lands, at and before the making of said deed of trust, the said John R. Mills and Rachel B. Mills his wife to the possession of the whole of said lands and farms and occupied the same and received and enjoyed the profits or proceeds thereof as beneficiaries under the said deed of trust, and your orator further states that he did not at any time receive nor collect any rents for or from the same the said lands never having been leased or rented by your orator at any time while the title thereto was in him as trustee, but were occupied as aforesaid in pursuance of the intent of said deed of trust, and your orator is advised that he is not chargeable with any rents or profits of said lands in the account with the said John R. & Rachel B. Mills

And your orator further states that thereafter the said John R. & Rachel B. Mills deeming it advantageous, desired to sell the said real estate, and with the consent of your orator, sold to a certain Levi J. Garner a portion of said real estate containing one hundred and eighteen acres and one quarter, at and for the price of eighteen hundred and ninety two dollars, and your orator, jointly with the said John R. & Rachel B. Mills conveyed the said land to said Levi J. Garner by deed bearing date the 9th. 1852, recorded in Liber C. S. No. 2, No. 2 folio 2294c, one of the land records of Frederick County, and your orator received the said purchase money, and your orator further states that of the said sum of eighteen hundred and ninety two dollars your orator paid the sum of twelve hundred and forty eight dollars as the full purchase money of tract or parcel of containing about forty eight acres of land, purchased or contracts for the said Rachel B. & John R. Mills with the consent of your orator, and to be paid for out