

Griffin William. Decree and sale of his land 13
 Goldborough Sarah A against John B. Stopper. Sale of land under mortgage 29
 Gleaves George E. Sale of his land under mortgage 30
 Goldborough John and wife against Solomon Pruitt. Decree and sale of land 36

Stophkins John B. against William Griffin's Heirs. Decree and sale of land 13
 Stopper John B. Sale of his land under mortgage 29
 Holden Mary R. against James Holding's Heirs. Decree and sale of land 31
 Holding James. Decree and sale of his land 31
 Morrison William W. Decree and sale of his land 35

Irons Francis R. Petition to divide lands of James St. Irons 14
 Irons James St. Petition to divide his land 14

McCullister Charles against Mary Thackeray's Heirs. Decree and sale of land 99
 Mafeey William F. against Josiah Mafeey's Heirs. Division of land 18
 Mafeey Josiah. Division of his land 18
 Mc Kenney & Co. against William J. Newnam. Sale of his land under judgment of Justice of the Peace 33
 Meredith Richard F. Sale of his land under mortgage 37

McKerson Powell F. against Thomas J. Chambers. Judgment and sale of land 26
 Newnam William J. Sale of his land under judgment of Justice of the Peace 33

Pruitt Thomas against Joseph Satterfield's Heirs. Decree and sale of land 7
 Peters Warner against James Solloway. Sale of land under judgment of Justice of the Peace 14
 Price John S. Exor. of against Solomon Speer's Heirs. Decree and sale of land 17
 Price Robert S. against Aritt Smith's Heirs. Decree and sale of land 27
 Palmer John against George E. Gleaves. Sale of land under mortgage 30

Richardson Julia Beck.	Decree to sell her land & sale thereof.	153
Satterfield Joseph.	Decree and sale of his land	7
Smith Sophia next friends against James M. Smith's Heirs.	Decree and sale of land	78
Smith James M.	Decree and sale of his land	78
Spry William G.	Petition for a deed of his land	146
Sollerway James.	Sale of his land under judgment of Justice of the Peace	147.149
Sparks W. Kent and wife against Julia Beck Richardson.	Decree and sale of land	153
Spears Solomon.	Decree and sale of his land	174
Smith Arvitt	Decree and sale of his land	270
Storrett Sallie E. against Richard F. Meredith.	Sale of his land under mortgage	375
Senoy Henry and wife against William M. Croft's Heirs.	Decree and sale of land	388
Thawley Mary.	Decree and sale of her land	99
Thompson Isaac L.	Decree and sale of his land	216
Turner Isaac L.	Sale of his land under petition of insolvency	254
Fruitt Solomon.	Decree and sale of his land	369
Williams Edward G.	Decree and sale of his land	24
Wright Robert G. against Clinton Wright's Heirs.	Decree and sale of land	55
Wright Clinton.	Decree and sale of his land	55
Whitely Starnbury.	Petition for a deed of William G. Spry's land	146
Westcott George B. against William E. B. Faithful.	Decree and sale of land	338
Wright Robert.	Sale of his land under mortgage	358

Book 7 Page 1 Was Missing

Book 7 Page 2 Was Missing

Book 7 Page 3 Was Missing

Book 7 Page 4 Was Missing

Book 7 Page 5 Was Missing

Book 7 Page 6 Was Missing

Thomas Pratt
Ann M. Pratt his wife
and William J. Pratt

vs

Thomas J. Satterfield
William L. Satterfield
George Mollikin
Mary E. Mollikin
Robert Simpson
Frances M. Simpson
James Piles and
John H. Piles

Be it remembered that on the seventh day of December in the year eighteen hundred and sixty five, Thomas Pratt, Ann M. Pratt his wife and William J. Pratt by John B. Brown Esq. their Solicitor files in court here their bill of complaint against Thomas J. Satterfield, William L. Satterfield, George Mollikin, Mary E. Mollikin, Robert Simpson, Frances M. Simpson, James Piles and John H. Piles, in the words following to wit:
To the Honorable John M. Robinson Judge of the Circuit Court for Queen Anne's County in Equity;—

The Bill of Complaint of Thomas Pratt and Ann M. Pratt his wife and William J. Pratt of Queen Anne's County, State of Maryland in the Circuit Court for Queen Anne's County in Equity against Thomas J. Satterfield, William L. Satterfield, George Mollikin and Mary E. Mollikin, his wife, Robert Simpson and Frances Matilda Simpson, his wife, James Piles and John H. Piles an infant under twenty one years of age, all of Queen Anne's County aforesaid exhibited, to your Honor humbly sheweth that heretofore to wit: on or about the x x x x x day of x x x x x in the year eighteen hundred and x x x x x Joseph Satterfield late of County of aforesaid, departed this life intestate and seized and possessed of certain Real Estate situate lying and being in Queen Anne's County of aforesaid on the road leading from Bridgetown to Beaver Dams, adjoining the lands of William B. Downes, James Phipps, William Pratt and others called "Lee's Chance" and containing one hundred and fifty acres of land more or less and leaving surviving him the following named children and heirs at Law, to wit:— Frances Matilda Satterfield, Ann M. Satterfield, Thomas J. Satterfield, William L. Satterfield Mary Elizabeth Satterfield and Martha Ellen Satterfield, your Orators further set forth that your Orator the said Thomas Pratt intermarried with the said Frances Matilda Satterfield who departed this life on or about the x x x x x day of April in the year eighteen hundred and forty three intestate and leaving the following named children and heirs at Law surviving her the fruits of said marriage, to wit:— Mary Ellen Pratt who intermarried with James Piles and departed this life on or about the x x x x x day of September in the year eighteen hundred and fifty eight intestate and leaving the said James Piles and John H. Piles and infant under twenty one years of age, the fruit of said marriage, surviving her, Frances Matilda Pratt who has intermarried with one Robert Simpson and your Orator, the said William J. Pratt, your Orators further, set forth that your Orator the said Thomas Pratt has since intermarried with your Oratrix the said Ann M. Pratt formerly Ann M. Satterfield and that the said Mary Elizabeth Satterfield has since intermarried with one George Mollikin and that the said Martha Ellen Satterfield departed this life on or about the x x x x x day of September in the year eighteen hundred and sixty one, intestate, never having married and leaving as her heirs at Law the said Ann M. Pratt, Thomas J. Satterfield, William L. Satterfield, Mary E. Mollikin, Frances Matilda Simpson and your Orator, the said William J. Pratt,

your Orator further set forth that after the death of the said Frances Matilda Pratt and prior to the death of the said Martha Ellen Satterfield there was a partial division in part and allotment of said Real Estate between the parties then interested therein, your Orator the said Thomas Pratt assuming to act in behalf of the children of said first mentioned marriage as well as himself, by which that portion of said Real Estate which lies on the West side of the aforesaid public Road leading from Bridgetown to Beaver Dams and containing twenty five acres of land more or less, was agreed to be taken by said Thomas J. Satterfield and George Mullikin and Mary E. Mullikin, his wife, as their portion of said Real Estate, thereby relinquish all right and title in the residue as the Heirs at Law of said Joseph Satterfield decd. - and was so allotted to them and was conveyed in pursuance thereof by your Orator, the said Thomas Pratt and Ann M. Pratt, his wife, the said Thomas J. Satterfield, William L. Satterfield, George Mullikin and Mary E. Mullikin, his wife, and Martha Ellen Satterfield to one James Phippin by deed bearing date the twenty eighth day of November eighteen Hundred and fifty three and recorded in Liber J. P. No. 1. folio 543 one of the land Record Books for Queen Anne's County aforesaid, the said James Phippin being the vendee of the said Thomas J. Satterfield and George Mullikin and Mary E. Mullikin, his wife, and these latter parties receiving the consideration therefor - your Orator further set forth that the division and allotment aforesaid was made in the manifest interest and advantage of all parties concerned in said Real Estate but that same resting in part and involving the interests of Infants under the age of twenty one years, it is necessary that same should be confirmed and ratified by this Honorable Court and the deed aforesaid to the said James Phippin for the purposes hereinbefore set forth ratified and confirmed, which your Orator are advised is fully within the scope of the equitable powers of this Honorable Court - that as hereinbefore set forth the said Martha E. Satterfield has since departed this life leaving the Heirs at Law aforesaid - your Orator further set forth that the remaining portion of said Real Estate is incapable of division without loss and injury to those interested, is poor and needing improvements, the buildings and fencing thereon in a decaying and dilapidated condition that as at present owned it must continue to deteriorate in value - that the adult parties in interest are desiring and it is to the manifest advantage of all parties that same should be sold and the proceeds of sale distributed among those entitled according to their respective interests therein that said John B. Piles is an Infant under the age of twenty one years and that all of said parties reside in Queen Anne's County aforesaid - that said John B. Piles being an Infant as aforesaid resort must be had to this Honorable Court for relief - To the end therefore that said partial division and allotment may be ratified and confirmed according to the interests and purposes thereof and that said conveyance to said James Phippin may be ratified and confirmed and full effect given thereto according to the interests and purposes hereinbefore set forth and that the remaining portion of said Real Estate may be sold and the proceeds of sale distributed among the parties entitled thereto according to their respective interests therein and that said Thomas J. Satterfield, William L. Satterfield, George Mullikin and Mary E. Mullikin, his wife, Robert Simpson and Frances Matilda Simpson, his wife, James Piles

and John H. Poles, Infant under twenty one years of age may fully answer the matters and things herein before set forth and alleged as fully as if they were thereunto specially interrogated, and that your Orators may have such further relief as their case may require, May it please your Honor to grant unto your Orators the State of Marylands writ of Subpoena to be directed to the Sheriff, # of them to be and appear in this Court on some certain day to be therein named to answer unto the charges and allegations of said Bill and abide by and perform such order or decree as may be passed in the premises, and as in duty &c.

John B. Brown, Solicitor for
Complainant,

of Queen Anne's County commanding them the said Thomas J. Satterfield, William S. Satterfield, George Moullekin and Mary E. Moullekin his wife, Robert Simpson and Frances Matilda Simpson, his wife, James Poles and John H. Poles, them and each

Whereupon Subpoena was issued in the words following, to wit:
Queen Anne's County, to wit: The State of Maryland. To Thomas J. Satterfield, William S. Satterfield, George Moullekin and Mary E. Moullekin, his wife, Robert Simpson and Frances Matilda Simpson, his wife, James Poles and John Poles, of Queen Anne's County: Greeting: You are hereby commanded, that all excuses and delays set aside, you be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, to be held on the fourth Monday of January next, ensuing, at the Court House in the town of Centerville hereof fail not, as you will answer the contrary at your peril.

Witness the Honorable John M. Robinson Judge of our said Court the 6th day of November 1865.

Issued the 7th day of December 1865.

Samuel E. Dyott, Clerk.

W. S.
Enter Revenue
S. E. S.
Dec 1st 1865
50 cents

On the back of the foregoing was thus endorsed, to wit:
Summoned

J. J. S. Shff.

Whereupon the following answer was filed, to wit:

Thomas J. Pratt & Ann M. Pratt his wife, & William J. Pratt.

Thomas J. Satterfield, William S. Satterfield, George Moullekin & Mary E. Moullekin, his wife, Robert Simpson & Frances M. Simpson his wife, James Poles & John H. Poles

In the Circuit Court for Queen Anne's County in Equity.

To the Honorable John M. Robinson, Judge of the Circuit Court for Queen Anne's County in Equity,

The joint and several answers of Thomas J. Satterfield, William S. Satterfield, George Moullekin and Mary E. Moullekin his wife, Robert Simpson and Frances M. Simpson his wife and

James Piles to the Bill of Complaint of Thomas J. Pratt and Ann M. Pratt, his wife and William J. Pratt against them and John H. Piles, an Infant under the age of twenty one years in this Court exhibited, answering say, that your Respondents admit the charges and allegations of said Bill of Complaint to be just and true as therein charged and set forth, and your Respondents furthermore set forth that they unite with the Complainants in the prayers preferred in their said Bill of Complaint, and as in duty bound will ever pray, &c.

Thomas J. Satterfield
Robert W. Simpson
Frances M. Simpson
George Monlikin
Mary E. Monlikin
William S. Satterfield

Whereupon Commissions was issued in the manner and words following, to wit:

Queen Anne's County, to wit: The State of Maryland to Samuel P. Knight of Queen Anne's County, greeting: Whereas Thomas Pratt & Ann M. Pratt his wife and William J. Pratt, have lately exhibited their Bill of Complaint, against Thomas J. Satterfield, William S. Satterfield, George Monlikin and Mary E. Monlikin his wife, Robert Simpson, and Frances Matilda Simpson, his wife, James Piles, and John H. Piles, on the Equity side of the Circuit Court for Queen Anne's County: And whereas the said Court has commanded the said Thomas J. Satterfield, William S. Satterfield, George Monlikin, Mary E. Monlikin, Robert Simpson, and Frances Matilda Simpson, James Piles and John H. Piles, to appear before the said Court at a certain day now past, to answer the said Bill of Complaint, but for as much as the said John H. Piles is an infant under age, and cannot answer the said Bill, nor defend the said Suit without having a guardian assigned in that behalf, Know ye therefore that the said Court have given you full power and authority to assign and appoint a guardian for said infant, and take the answer of said infant by such guardian to the said Bill, and therefore you are hereby commanded, that at such certain day and place as you shall think fit you go to the infant if he can not conveniently come to you and assign and appoint a guardian for the said infant and take the answer of said infant by such guardian to the said Bill on such guardian's corporal oath, upon the Holy Evangelical of Almighty God, to be administered by you. The said answer being distinctly and plainly written, and when you shall have taken such answer, you are to send the same closed up under your hand and seal together with your certificate of having assigned and appointed such guardian as aforesaid and this writ unto the said Court.

Witness the Honorable John M. Robinson Judge of our said Court the 22^d day of January 1866.


Dated this 30th day of January 1866.

Saml. E. Dyott, Clerk.

To the Honorable John M. Robinson Judge of the Circuit Court for Queen Anne's Co. in Equity.

The subscriber being the Complainant named in the annexed Commission hereby certifies that in execution of the powers thereby vested in him. I did on the thirtieth day of January 1866 proceed to the dwelling house of James

Ho. Poiles in Queen Anne's County where John Ho. Poiles the infant named in the said Commission then and caused the said infant to be brought before me, and then by authority of said Commission assigned and appointed Stephen Collins Knight of Queen Anne's County, Guardian to said infant and took the answer of said infant by their said guardian, and under the oath of said guardian by be administered to the Bill of Complaint, in said Commission mentioned, which said answer with said Commission is herewith returned, closed under my hand and seal this thirtieth day of January 1866.

Jm^d P. Knight 

The Answer of John Ho. Poiles infant under the age of twenty one years by Stephen Collins Knight ^{his} guardian to the Bill of Complaint, of Thomas Pratt and others against him and others in Equity exhibited:
 The Defendant cannot admit any of the matters and things alleged in the said Bill. and being an infant of tender years, submits his rights to the protection of this Court.

S. Collins Knight
Guardian to Answer

On this thirtieth day of January eighteen hundred and sixty six, the above named Stephen Collins Knight appeared before me the Commissioner, and made oath that the matters and things stated in the foregoing answer are true to the best of his knowledge & belief:

S. P. Knight
Commissioner

Whereupon agreement to issue Commission to take testimony, was filed to wit:

Thomas Pratt & Ann M. Pratt his wife & William J. Pratt vs Thomas J. Satterfield & others	}	In Circuit Court for Queen Anne's County in Equity:
---	---	--

It is hereby agreed between John B. Brown, Solicitor for complainants and Thomas J. Keating, Solicitor for Defendants, that a Commission shall forthwith issue to William S. Lemmolly of Queen Anne's County, State of Maryland to take testimony in the above cause.

John B. Brown, Sol. for
complainants
Thomas J. Keating, Sol. for
Defendants

Whereupon Commission was issued in the Form and words following to wit:

Queen Anne's County to wit: The State of Maryland, To William S. Lemmolly, of Queen Anne's County, Greeting: Be it known that you are appointed Commissioner to examine evidence in a ^{cause} depending in the Circuit Court for Queen Anne's County, between Thomas Pratt, Ann M. Pratt his wife and William J. Pratt, complainants, and Thomas J. Satterfield, William S. Satterfield, George Morlikin, Mary E. Morlikin, Robert Simpson, Frances M. Simpson, James Poiles and John Ho. Poiles. Respondents, you are therefore hereby required having first taken the oath hereto annexed, and also administered the annexed oath to the person whom you shall appoint

as clerks to attend the execution of this commission, that at such time and place as to you shall seem convenient, you cause to come before you all such evidences as shall be named and produced to you, by either the complainants or Respondents, and that you examine them on their several Oaths to be you administered upon the Holy Evangelij of Almighty God, touching their knowledge or remembrance of any thing that may relate to the cause aforesaid, and that you cause notice to be given to the parties or their Solicitors of the execution of this commission before you execute the same. and having reduced the depositions of the witnesses so taken by you into writing, you send the same with this commission closed under your hand and seal to the said Circuit Court, with all convenient speed.

Witness the Honorable John M. Robinson, Judge of the said Court the 22^d day of January eighteen hundred and sixty six.

Spued the 3^d day of Feby 1866.

Samuel E. Dyott, clerk,

Commissioner's Oath.

You William S. Lemmolly, shall, according to the best of your skill and knowledge, truly faithfully, and without partiality to any or either of the parties, take the examinations depositions of all and every the witnesses produced and examined by virtue of the commission hereto annexed. upon the interrogatories now, or which may hereafter, before the said commission is closed, be produced to and left with you, by either of the said parties. So help you God.

Sworn before

A. M. Arlett J. P.

Clerk's Oath

You Robert Goldsbrough shall truly, faithfully, and without partiality to any or either of the parties to this cause, take, write down and transcribe the depositions of all and every the witnesses produced before and examined by the commissioners named in the commission hereto annexed, as far forth as you are directed and employed by the commissioners to take, write down and transcribe the said depositions or any of them.

So help you God.

Sworn before

William S. Lemmolly
Commissioner

And afterwards to wit: on the 13th day of February in the year eighteen hundred and sixty six, William S. Lemmolly Esq. the commissioner named in the aforesaid commission makes return of the execution of said commission in the manner and mode following to wit:

Thomas Pratt & Ann M. Pratt
his wife & William J. Pratt

} In the Circuit Court for Queen Anne's
County in Equity.

Thomas J. Datterfield & others

General Interrogatories to be propounded to witnesses called to testify for complainants.

1st Where you are not acquainted with the late Joseph Datterfield of Queen Anne's County decd. - if yes, state when he died; what children, if any, he left surviving him, what descendants of children who had died previous to his death, if any he left surviving him -

- 2.^d Are you or not acquainted with the subsequent history & connections of such surviving children of the said Joseph Satterfield and their descendants down to the present time; if yes, state same.
- 3.^d Did or not the said Joseph Satterfield die intestate and possessed of Real Estate, if yes, state where said Real Estate is situate and the present condition and value thereof.
- 4.th State if there was not a partial division of said Real Estate made in the year 1853; if yes, give the history thereof and if same in your opinion was not to the interest and advantage of any minor who might then, or of the said John B. Boiles who is now interested therein and the reasons upon which said opinion is based.
- 6.th State whether in your opinion said Real Estate will admit of advantageous division among the parties entitled thereto and the reasons upon which said opinion is based.
- 7.th State whether in your opinion it is not to the advantage of all parties interested in said Real Estate that same should be sold and the proceeds distributed among them according to their respective interests and the reasons upon which said opinion is based.

John B. Brown
Sol. for Complainants

To the Hon. John M. Robinson, Judge of the Circuit Court for Queen Anne's County.

At the execution of the annexed commission issued out of the Circuit Court for Queen Anne's County, and to me directed, empowering me to examine evidences in a cause depending in said Court, wherein Thomas Pratt Ann M. Pratt his wife and William J. Pratt are complainants, and Thomas J. Satterfield, William S. Satterfield, George Moullickin, Mary E. Moullickin, Robert Simpson, Frances M. Simpson, James Boiles, and John B. Boiles are Respondents, & William S. Connolly, Commissioner therein named having taken the oath thereto annexed, and having appointed Robert Goldborough my clerk and administered to him the oath annexed to said commission to be taken by him, did on the thirteenth day of February 1866. at Centerville in the County aforesaid, the usual notice having been waived: proceed to take the following depositions.

William S. Starkey a witness of lawful age. produced and examined on the part of the complainant, being duly sworn, deposes and says.

To the first interrogatory. I was, he died on or about 1831, he knew the children, he left surviving him Frances Matilda Satterfield, Ann M. Satterfield, Tho. J. Satterfield, William S. Satterfield, Mary E. Satterfield & Martha E. Satterfield, there were no descendants.

To the 2^d Interrog: His answer & says he is acquainted, Frances M. Satterfield, intermarried with Thomas Pratt, died intestate about 1843. She left the following children by said marriage, Wm. J. Pratt, now living, Frances M. Pratt, now intermarried with Robt Simpson and Mary E. Pratt who intermarried with James Boiles and died intestate on or about Sept 1858, leaving surviving her the said Jas. Boiles and as child now under the age of 21 years, Mary E. Satterfield intermarried with Geo. Moullickin, both now living, Martha E. Satterfield died intestate in Sept. 1861 never having married Wm. S. Satter-

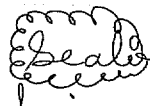
- field & Thomas J. Satterfield, both now living.
- To 3.rd Interrog: He answers & says: he died intestate and possessed of Real Estate, situate on both sides of roads leading from Bridgetown to Beaver Dams, it is in bad condition as to buildings & fencing but is good soil and unimproved containing about 150 acres & worth about eight dollars per acre.
- To 4.th Interrog: He answers & says: There was a division, Thos. J. Satterfield and George Moullikin & Mary E. Moullikin his wife agreed to take the part described in a deed from Thos Pratt & others to Jas. Pippin marked exhibit (here shown witness) in full of their interest of said land, he thinks it was advantageous to the remaining parties including infants at that time and to the said Jno. B. Poole at this time, the land as above taken was less in value per acre, than the remaining 125 acres, their proportions were less than it would have been in the whole, the buildings were also on the remaining part.
- To 5.th Interrog - He answers & says it would not, the reason being that there was not more than enough for one farm, and there is not more timber & wood than is sufficient for one farm.
- To 6.th Interrog: He answers & says it is the interest, my reasons are that the farm is in poor condition as buildings fencing & soil and is growing worse, some of the parties are not able & some are unwilling to contribute to its improvement, the land would sell better at this time than it would in the future.

W. J. Starkey

Wm. H. Pratt of lawful age produced & sworn on part of complainants deposes & says, having heard the answers of Wm. J. Starkey to the interrogatories in this cause, he adopts the several answers of said witness, as his

William G. Pratt

The Comr. herewith returns a paper marked exhibit "A" as a part of the evidence &c, There being no other witnesses to examine, and neither party desiring further time for the production of evidence the Commission closed the said Commission, and herewith returns the same under his hand and seal this 13th day of February 1866.

William S. Connolly 
Commissioner

Comr.	\$ 4.10
clerk.	2.50
Witnesses.	1.50
Shff.	80
	<u>\$ 8.90</u>

The Exhibit "A" referred to in the foregoing Commissioners Report is in the words following, to wit:

Queen Anne's County, to wit: Be it remembered that on the sixth day of December eighteen hundred and fifty three, the following deed was brought to be recorded, to wit:

This Indenture made this twenty eighth day of November in the year of our Lord eighteen hundred and fifty three between Thomas Pratt and Ann M. Pratt, his wife formerly Ann M. Satterfield, William S. Satterfield, Thomas J. Satterfield, Martha E. Satterfield and George Moullikin and Mary E. Moullikin, his wife, formerly Mary E. Satterfield of Queen Anne's County and State of Maryland of the one part and

James Pippin of County and State aforesaid of the other part. It is remembered that for and in consideration of the sum of one hundred and sixty seven dollars current money, by the said James Pippin to the said parties of the first part in hand paid at and before the sealing and delivery of these presents the receipt whereof they do hereby acknowledge, and themselves to be hereunto fully satisfied, contented and paid, the said parties of the first part have bargained and sold, and by these, do give, grant, bargain and sell, alien, enfeoff, release, convey and confirm unto the said James Pippin his heirs and assigns, all their undivided right, title, claim and interest in and to a certain part of a tract or parcel of land, situate, lying and being in Green Anne's County and on the West side of the County Road leading from Bridgetown to the Beaver Dams and adjoining the Lands of the said James Pippin, John Shawley, William Pratt and others containing twenty five acres of Land be the same more or less, together with all and singular, the buildings, improvements, ways, waters, water courses, rights, privileges, advantages and appurtenances thereto belonging, or in any wise appertaining, and all the estate, right, title interest, trust property, claim and demand whatsoever, at Law and in equity of said parties of the first part of, in and to the same lands and premises, To have and to hold the said herein described premises with the appurtenances thereto, unto the said James Pippin his heirs and assigns to the only and proper use and behoof of the said James Pippin his heirs and assigns forever. And the said parties of the first part for themselves and their heirs, do hereby covenant promise and agree to and with the said James Pippin his heirs and assigns, that they the said parties of the first part their heirs and all persons claiming under them shall and will from time to time and at all times hereafter, at the seasonable request cost and charge of the said James Pippin his or any of his heirs or assigns make and lawfully execute acknowledge and deliver, all and every such further and other Deed, conveyance and assurance in the Law whatsoever, for the better and more fully conveying and securing to the said James Pippin his heirs and assigns, all the right title estate and interest at Law and in equity which the said parties of the first part now has or can lawfully claim, in and to the said premises with the appurtenances hereinafter described and mentioned, to be bargained and sold according to the true intent and meaning of the parties to these presents, as by the said James Pippin, or any of his heirs or assigns or by their counsel learned in the Law shall be reasonably devised, or advised and required. In witness whereof, the said parties of the first part hereunto set their Hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of
 Tho. Brewley = B. M. Colliester

{ Thomas Pratt Seal Ann M. Pratt Seal
 { Martha ^{mark} Catterfield Seal Thomas J. Catterfield Seal
 { William ^{mark} Catterfield Seal
 George Mullikin Seal Mary E. Mullikin Seal

Received on the day of the date of the foregoing Indenture or Instrument of writing the sum of One Hundred and sixty seven Dollars being the consideration money therein mentioned, to be paid by the said James Pippin.

Witness
 Tho. Brewley
 B. M. Colliester

Thomas Pratt, Martha ^{ch} Catterfield
 George Mullikin, Thomas J. Catterfield
 William ^{mark} Catterfield

State of Maryland - Queen Anne's County, to wit: Be it remembered and it is hereby certified, that on this twenty eighth day November in the year of our Lord one thousand eight hundred and fifty three before the subscribers two Justices of the Peace of the State of Maryland in and for Queen Anne's County aforesaid. personally appeared Thomas Pratt and Ann M. his wife, William L. Satterfield, Thomas J. Satterfield, Martha E. Satterfield, George Monllikin and Mary E. his wife, the being known to us to be the persons who are named and described as and professing to be, the parties to the foregoing Deed or Indenture, and the said parties of the first part doth acknowledge the same to be their act and deed; and the said Ann M. Pratt, and Mary E. Monllikin before us out of the presence and hearing of their husband did sign and seal the said Indenture and did acknowledge the same to be their act and deed, and the said Ann M. Pratt and Mary E. Monllikin being by us examined, out of the presence and hearing of their husband, whether they executed and acknowledged the same freely and voluntarily and without being induced to do so by fear or threats of, or ill usage by their husband or by fear of their displeasure, declared and said that she did,

In Testimony whereof We hereunto subscribe our names on the day and year aforesaid.

Jhs. Bewley
 G. M. Colister

State of Maryland, Queen Anne's County, to wit:
 I hereby certify that the foregoing is truly copied from Liber J. P. No. 2. folios 543 & 544 a Land Record Book for Queen Anne's County.

In Testimony whereof I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, this 12th day of Feby A.D. 1866.

Seal
 Circuit Court
 Queen Anne's County

Ms. Entered Revenue L. E. S. Feb 12. 1866 - 05 cents

Samuel E. Dyott, Clerk,

Whereupon the following agreement was filed, to wit:

Thomas Pratt & Ann M. Pratt
 his wife &c. }
 BS } In the Circuit Court for Queen Anne's
 County in Equity.

Thomas J. Satterfield &c. }

It is hereby agreed that the proceedings in this cause shall be submitted without argument and that a decree shall be passed in conformity with the prayer of the Bill of Complaint.

18 Feb. 1866. John B. Brown, Solicitor for Complaint.
 Thomas J. Keating, Sol. for Defets.

And afterwards to wit: on the 16th day of April in the year Eighteen hundred and sixty six, the Court passed the following Decree, to wit:

Thomas Pratt & Ann M. Pratt }
 his wife & William J. Pratt } In the Circuit Court for Queen Anne's
 BS } County in Equity.
 Thomas J. Satterfield & others }

This cause standing ready for hearing and being submitted without argument, the proceedings were read and considered - It is thereupon this

10th day of March eighteen Hundred and sixty six by the Circuit Court for Queen Anne's County in Equity and by the thereof adjudged, ordered and decreed that the Real Estate in the proceedings mentioned and described be sold - that John B. Brown of Queen Anne's County be and he is hereby appointed Trustee to make such sale; and that the course and manner of his proceeding shall be as follows - he shall first file a bond with the Clerk of the Circuit Court for Queen Anne's County to the State of Maryland executed by himself with a surety or sureties to be approved agreeable to Law in the penalty of twenty five Hundred dollars conditioned for the faithful performance of the trust reposed in him by this decree or that may be reposed in him by any future order or decree in the premises - He shall then proceed to make sale of said Real Estate, having first given at least three weeks previous notice inserted in some newspaper published in Queen Anne's County and such other notice as he may deem proper of the time, place, manner and terms of sale - which terms shall be as follows two Hundred dollars in cash on the day of sale and the residue in two equal instalments from the day of sale with interest thereon of nine and fifteen months to be secured by the bonds or notes of the purchaser with approved security - and as soon as convenient after any such sale the said Trustee shall return to this Court a full and particular account of the same with an affidavit of the truth thereof and of the fairness of such sale annexed - and on the ratification of such sale or sales by this Court and on the payment of the whole purchase money and not before, the said Trustee by a good and sufficient deed to be executed and acknowledged agreeably to law, shall convey to the purchaser or purchasers thereof the property to him, her or them sold, free clear and discharged of all claims of the parties to this suit or any claiming by him or under them - and the said Trustee shall bring into this Court the money arising on such sale or sales and the bonds or notes that may be taken for the same to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit and such commissions to said Trustee as this Court shall see fit to allow in consideration of the skill, fidelity and attention wherewith he shall appear to have discharged his trust.

Jno. W. Robinson

Thereupon John B. Brown Esquire, the Trustee named in the foregoing decree, files in Court here his Bond in the words following to wit:

Know All men by these presents, that we, John B. Brown, Joseph W. Water and Gallie E. Bryan of Queen Anne's County State of Maryland, are held and firmly bound unto the State of Maryland in the full and just sum of twenty five hundred dollars current money to be paid, to the State of Maryland or its certain Attorney; to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally firmly by these presents - sealed with our seals and dated this thirtieth day of April in the year eighteen Hundred and sixty six -

It hereas by a decree of the Circuit Court for Queen Anne's County in Equity, bearing date the 10th day of March of this present year eighteen Hundred and sixty six and passed in a cause in the said Court

wherein Thomas Pratt and Ann W. Pratt, his wife, are complainants and Thomas J. Battenfield and others are Defendants the above bound John B. Brown has been appointed Trustee to make sale of certain Real Estate in the proceedings in said cause mentioned -

Now the condition of the above obligation is such, that if the above bound John B. Brown do and shall well and faithfully perform the trust reposed in him by said decree or that may be reposed in him by any future order or decree in the premises, then the above obligation to be void, otherwise to remain in full force and virtue in Law.

Signed, sealed and delivered }
in the presence of {

John B. Brown Seal
Joseph W. Waterman Seal
Gallie C. Poyan Seal

On the back of the foregoing was thus Endorsed, to wit
Trustees Bond with Security approved and filed

July 5th 1866.

J. E. Dyott, clerk,

And thereupon John B. Brown, Esq. the Trustee named in the afore cited decree files in court here his Report of Sales in the words following, to wit:

Pratt }
As } In the Circuit Court for Queen Anne's County in
Battenfield & al } Equity.

To the Honorable John M. Robinson, Judge of the Circuit Court for Queen Anne's County in Equity.

The Report of John B. Brown, Trustee appointed by the decree in this cause, to make sale of certain Real Estate therein mentioned, shows; that after giving notice of the time, place, manner and terms of sale by advertisements in the "Maryland Citizen" and the "Kentreville Observer", two news-papers printed in the town of Kentreville, Queen Anne's County State of Maryland, for more than three successive weeks before the day of sale and by hand bills extensively circulated throughout Queen Anne's and the adjoining counties he did pursuant to said notice attend in front of the Court House in the town of Kentreville on Tuesday, the twenty eighth day of April of this present year eighteen hundred and sixty six between the hours of one and three O'clock P. M. and then and there proceeded to sell said Real Estate as follows: to wit:

Your Trustee first offered at public auction to the highest bidder that portion of "Lee's Chance" which lies on the right hand side of the Public Road from nine Bridges in Caroline County State aforesaid to Beaver Dams in Queen Anne's County aforesaid, containing ninety seven acres and twenty three perches of land and sold same to James Merrick of Queen Anne's County aforesaid, he being then and there the highest bidder therefor at and for the sum of \$72.29 per acre or the aggregate sum of nine hundred and seventy two dollars and twenty nine cents and thereupon received from the said James Merrick the sum of two hundred dollars being the whole cash sum required on the sale of said Real Estate by the decree in the cause and took his note with John H. Evans as security therefor in the sum of seven hundred and seventy two dollars and twenty nine cents payable in two equal instalments of nine and fifteen months with interest on each instalment from day of sale as they shall become due, to secure the credit portion of said purchase money.

Your Trustee then offered in like manner that portion of "Lee's Chance" which lies on the left hand side of the aforesaid public road and containing twenty five acres, two rods and twenty six perches of land more or less, and sold same to James Phipps of Queen Anne's County aforesaid he being then and there the highest bidder therefor, at and for the sum of One hundred and sixty seven dollars and took his note to secure same with James Moerick as security thereto, payable with interest thereon in fifteen months from the day of said sale -

Your Trustee brings herewith into court the plats and certificates of the survey of said Real Estate caused by your Trustee to be made by James W. Thompson a competent surveyor selected by your Trustee for the purpose, and submits same as part of this Report - and your Trustee also now brings into court his bond conditioned for the faithful discharge of the duties of his office and executed in conformity to the requirements of the Decree in this cause -

All which is respectfully submitted

John B. Brown
Trustee

State of Maryland, Queen Anne's County, to wit:

On this day of July 1866, before the Subscribed a Justice of the Peace of the State in and for the County aforesaid, personally appeared John B. Brown, named as Trustee in the foregoing report and made oath that the matters and things therein stated are true to the best of his knowledge and belief and that the sales therein reported were fairly made.

Robt. B. Raymond J. P.

The certificates and Plats referred to in the foregoing report of sales are in the words and form to wit:

I hereby certify that I have surveyed for John B. Brown Esq. Trustee, a tract of land, lying upon the Public Road from Bridgetown to Beaver Dams, called "Lee's Chance", contained within the following metes and bounds, courses and distances to wit: Beginning at the Eastern corner in the Branch, and running thence South sixty one degree West forty eight perches, and a half perch, thence North forty seven degree West fifty perches and a half perch to a large Oak tree, thence South fifty seven degree West one hundred and thirteen perches, thence North forty degree West eight perches to the road thence with the road North twenty three degree West one hundred and two perches, and North twenty three degree East eighty nine perches, thence South fifty four degree East one hundred and thirty four perches, thence North five degree East seventeen perches, thence North thirty three degree East nine perches and a half perch and thence with the Branch South fifty two degree thirty minutes East ninety seven perches to the Beginning containing ninety seven acres and twenty three perches of land.

James W. Thompson, Surv.
April 13th 1866.

"Lines of part sold off."

Begin at a cherry tree in the Public Road from Bridgetown to Beaver Dams, and runs North twenty three degree West one hundred and forty two perches, thence South fifty six degree East one hundred and five perches to the road, thence with the road reversed South twenty three degree West seventy nine perches and a quarter of a perch, to the Beginning containing twenty five

acres two rods and twenty six perches of land.

James B. Thompson Sur.
April 13th 1866.

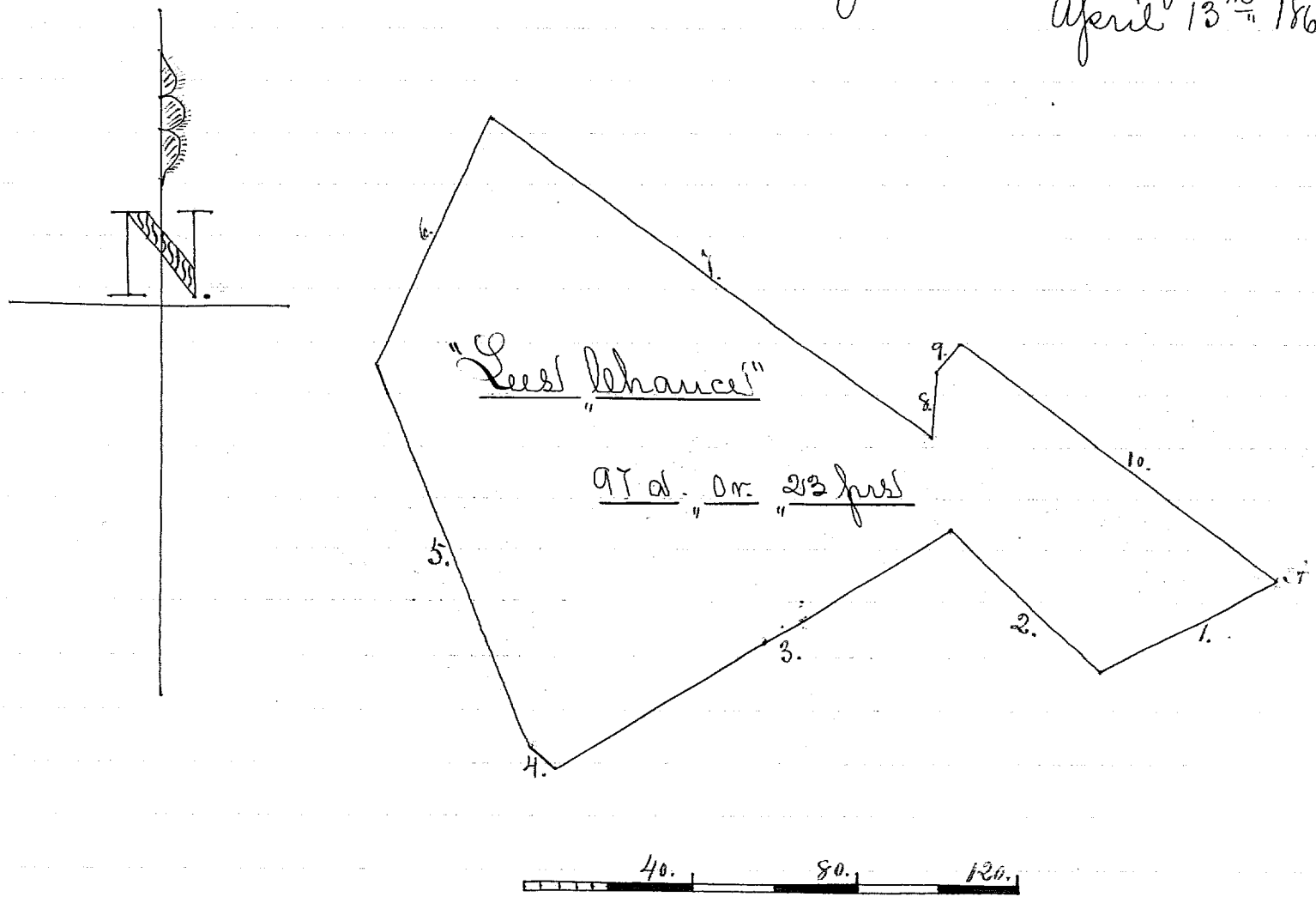


Table of bearings.		
#	Bearings	Distances
1.	S. 61° W.	49½ feet
2.	N. 47° W.	50½ "
3.	S. 57° W.	113 "
4.	N. 40° W.	8 "
5.	N. 23° W.	102½ "
6.	N. 23° E.	69 "
7.	S. 54° E.	124 "
8.	N. 5° E.	17 "
9.	N. 33° E.	9½ "
10.	S. 52° 30' E.	97 "
97 ad. Or.		23 feet

Whereupon the court passed the following Order, to wit:
conditional order of Ratification in the circuit court for Queen Anne's county in Equity.

Ordered that the sales made and reported by John B. Brown Trustee for the sale of "See Chance" in the case of Pratt & others vs Satterfield & others decreed to be sold be ratified and confirmed unless cause to the contrary thereof be shown on or before the 1st day of October next, provided a copy of this order be inserted in some newspaper printed in Queen Anne's county once in each of three successive weeks before the 31st July next -

Report states the amount of sales to be \$ 1139.29 -

Samuel E. Dyott, clerk,

And afterwards, to wit: on the 27th day of September in the year Eighteen hundred and sixty six, The following agreement was filed, to wit:

Thomas Pratt & Ann M. Pratt
his wife.

vs

Thomas J. Satterfield & others

In the Circuit Court for Queen Anne's County in Equity.

Joseph Satterfield late of Queen Anne's County deceased having been twice married and having left two sets of children, the fruits of said marriages - one being represented by the descendants of Matilda Pratt deceased as set forth in the Bill of Complaint - the other being represented by Ann M. Pratt, Mary E. Moullikin, Thomas J. Satterfield and William S. Satterfield (Martha E. Satterfield, one of the latter being dead) - It is hereby agreed that the Real Estate in the proceedings mentioned the proceeds thereof shall be divided into two equal parts - one part thereof to be distributed to the descendants of the said Matilda Pratt or those claiming by, from or through her or her descendants - the other part thereof to the said Ann M. Pratt, Mary E. Moullikin, William S. Satterfield and Thomas J. Satterfield or those claiming by, from or through them.

Thomas J. Satterfield, Thomas Pratt
William J. Pratt, George Moullikin
Mary E. Moullikin, Ann M. Pratt
William S. Satterfield, Robt. W. Simpson
James H. Piles, Frances M. Simpson

Thereupon further process of and upon the premises aforesaid is further continued by regular continuances from term to term of said Court until the first Monday of May next at which said first Monday of May in the year Eighteen hundred and sixty seven, comes into Court here as well the said Thomas Pratt, Ann M. Pratt, his wife and William J. Pratt by John B. Brown Esq. their Solicitor and the said Thomas J. Satterfield, William S. Satterfield, George Moullikin, Mary E. Moullikin, Robert Simpson, Frances M. Simpson James Piles, and John H. Piles, by Thomas J. Keating Esq. their Solicitor, whereupon the the Court passed the following order to wit:

In the Circuit Court for Queen Anne's County in Equity.

Ordered this day of in the year Eighteen hundred and sixty seven that the sales within reported be and the same are hereby ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given as directed by the preceding order the Trustee is allowed the usual commission and expenses.

Jno. M. Robinson

And afterwards, to wit: On the 15th day of July in the year Eighteen hundred and sixty seven, J. B. Hooper Esq. the Auditor of said Court files in Court here his report in the words & form, to wit:

Thomas Pratt & others

vs

Thomas J. Satterfield & others

In the Circuit Court for Queen Anne's County sitting as a Court of Equity

To the Hon. Jno. M. Robinson, Judge.

The Auditor reports that he has examined the proceedings in this cause and has therefrom prepared the following account between the Real Estate of Joseph Datterfield decd. & John R. Brown Esq. Trustee for Sale thereof, in which he has made to the Trustee an allowance for commissions and expenses and has allowed to the complainants and defendants each their costs of suit and to the Auditor his fee. The balance the Auditor has distributed to the parties entitled according to their written agreement filed without regard to the statements of the bill and their respective interests according to said statements. There is but one infant interested who of course does not sign the agreement although his father James H. Poles does, but in as much as the proposed division is much more favorable to him than it would be, if made upon the statements contained in the Bill of Complaint, the Auditor can see no objection to dividing according to the agreement of the adult heirs, By said agreement the net proceeds were to be divided into two equal parts, one of which was to be given to the representatives of Frances Matilda Pratt former wife of Thomas Pratt and the other half to be divided equally between Ann M. Pratt, Thomas J. Datterfield, Mary E. Mullikin & William L. Datterfield, which the Auditor by his account has done,

All of which is respectively submitted

D. B. Hooper, Auditor

July 15th 1867.

To the Real Estate of Joseph Datterfield decd. in acct. with John R. Brown Trustee for the sale thereof

1866	To the Trustee for his commissions			75	85
Apr 28	To the Trustee for his expenses			44	49
	To the complainants for their costs of suit viz:				
	Solicitors	20	00		
	D. E. Dyott clerk for fees accrued	7	95		
	Same for probable costs	20	00		
	L. P. Wright commis. to take answers &c	4	00		
	W. S. Connolly commis. to take testimony	4	10		
	R. Goldsborough clk to same	2	50		
	W. L. Starkey witness		75		
	W. G. Pratt "		75		
	J. J. Datterfield Shff	4	40		
	Stamps.		50	64	95
	To the Defendants for their costs of suit viz:				
	Solicitors	10	00		
	clerk	5	75	15	75
	To the Auditor			4	50
	To Thomas Pratt for custody in his former wife's interest in said Real Estate			140	02 1/2
	To Frances Matilda Simpson wife of Robert Simpson			108	95
	To W. J. Pratt			108	95
	To John H. Poles			68	09
	To James H. Poles for custody in Jno H. Poles part			48	86
	To Ann M. Pratt wife of Thomas Pratt			116	7 1/8
	To Thomas J. Datterfield			116	7 1/8

To Mary E. Mullikin wife of George Mullikin
To William S. Datterfield

116	7 1/8
116	7 1/8
<u>\$1139</u>	<u>29</u>

1866
apl 28

Pay Amount of proceeds of Sale as per Trustees }
Report of Same }

lev.	
1139	29
<u>\$1139</u>	<u>29</u>

P. D. Hooper, Auditor
July 15th 1867

Thereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of July next at which said fourth Monday of July in the year eighteen hundred and sixty seven comes into court here as well the said complainants and defendants by their solicitors aforesaid. Whereupon the court passed the following Order, to wit:

Ordered on this 30th day of July in the year eighteen hundred and sixty seven by the circuit court for Queen Anne's County in Equity and by the authority thereof that the within and foregoing Report of the Auditor be and the same is hereby finally ratified and confirmed and the Trustees is directed to apply proceeds accordingly as they have come or may come into his hands with a due proportion of interest received or to be received on each distributive share.

Jno. M. Robinson

Sarah E. Bryan, next friend
of Fannie Bryan and David
Jones and Sarah F. Jones next
friends of Samuel DeCoursey

vs

Fannie Bryan, Samuel DeCoursey
and Joseph Selby Williams

Be it remembered that on the 25th day
of January in the year eighteen hun-
dred and fifty nine, Sarah E. Bryan
next friend of Fannie Bryan and David
Jones and Sarah F. Jones next friends
of Samuel DeCoursey by John B. Brown
Esq. their Solicitor files in court here
their Bill of Complaint against Fannie
Bryan, Samuel DeCoursey and Joseph Selby Williams, in the words fol-
lowing to wit:

To the Honorable R. B. Carmichael Judge of the Circuit Court for
Queen Anne's County, as a Court of Equity:

Sarah E. Bryan as next friend of Fannie Bryan an infant
under the age of twenty one years and David Jones and Sarah F. Jones as
next friends of Samuel DeCoursey an infant under the age of twenty
one years humbly show to your Honor that the said Infants are seized
respectively of an undivided moiety in fee in and to certain Real Es-
tate called Westminster and Commons Neck containing 372 acres
of land more or less situate in Queen Anne's County, the said Fannie Bryan
by descent from her father John L. Bryan and the said Samuel DeCoursey
by descent from his father Thomas W. DeCoursey, that the undivided
Moiety of the said Fannie Bryan is subject to the right of Dower of your Oratrix
Sarah E. Bryan who is her Mother and the relict of the said John L. Bryan,
and that the undivided moiety of the said Samuel DeCoursey is subject
to the right of Dower of your Oratrix Sarah F. Jones, who is the Mother
of the said Samuel and relict of the said Thomas W. DeCoursey - that the
Estate of the said Fannie and Samuel by the last will and Testament of
Edward Williams late of Anne Arundle County is liable to be defeated
by the death of Edward L. Williams without leaving a child or children
living at the time of his death as per copy of said last will herewith filed,
marked Exhibit "A" as part of this Bill in which went Joseph Selby Will-
iams if then living, or in case of his death, those persons, who will at that
time answer the description of Heirs to him, would be entitled to the said
Real Estate - But your Orator and Oratrixes further show that the said
Edward L. Williams is now living and has also two children now living
and that in consequence of the decayed state of the Dwelling house on said
Real Estate and the want of sufficient out buildings shows the inability of
the Owners and especially those entitled to the present profits of the said
land to repair and build it will be greatly to the advantage of said infants
and of all persons having any interest contingent or otherwise in said Real
Estate that the same should be sold and the money invested in some pro-
ductive fund that your Orator and Oratrixes aver that the annual
interest of the purchase money will greatly exceed the nett annual rents
that your Orator and Oratrixes consent that their respective Dower rights shall
be sold by a Decree of this Court that is the said David Jones and Sarah F.
Jones his wife, her Dower right and the Sarah E. Bryan, her Dower right,
and that they are willing either to take such sum in gross or such por-
tion of the annual interest of the fund arising from the sale of said Real
Estate as your Honor may award in lieu thereof, and that as there is a
possibility that said Joseph Selby Williams or some person or persons
claiming or to claim under him may become entitled ultimately to the

proceeds of Sale, hence proceeds of Sale shall be invested namely during the respective minorities of the said Fannie Bryan and Samuel DeLorsey and until the death of the said Edward L. Williams to await the contingency provided for by the will of the said Edward Williams herewith filed
 Your Orator and Oratrices further represent that the said Fannie Bryan resides in Queen Anne's County, the said Samuel DeLorsey in Philadelphia City, Pennsylvania and that the said Joseph Selby Williams is a nonresident of the State of Maryland - To the end therefore that the said Fannie Bryan, Samuel DeLorsey and Joseph Selby Williams may answer the premises and that a Decree may be passed for the sale of said Real Estate, May it please your Honor to order a commission to issue to three discreet men to take the answers of the said Samuel DeLorsey, and the States writ of Subpoena against the said Fannie Bryan of Queen Anne's County and grant an order of publication against the said Joseph Selby Williams commanding and warning him to appear in Court on or before some day to be therein named and show cause if any they have why a Decree should not be passed as prayed and as in duty bound your Orator and Oratrices will ever pray.

Gallie E. Bryan
 David Jones
 Sarah F. Jones

J. P. Brown
 Solc^r for Compts.

Whereupon the following Subpoena was (issued) and filed, to wit:
 The State of Maryland, &c. Queen Anne's County, to wit: To Fannie Bryan
 of Queen Anne's County greeting: You are hereby com-
 manded to be and appear before the Circuit Court for Queen
 Anne's County as a Court of Equity to be held at Centerville
 in and for said County on the fourth Monday of January
 next instant to answer the Bill of Complaint Exhibited in
 said Court against you and others by Sarah E. Bryan as your next friend
 and others Hereof fail not as you will answer the contrary at your peril;

Witness the Honorable Richard B. Carmichael Esquire Judge of said
 Court the first day of November in the year eighteen hundred and fifty eight.
 Signed the 19th Jan'y 1859.

Madison Brown, Clerk,

On the back of the foregoing was thus endorsed, to wit:

Sumn^d
 Edward Snodden, Shff.

And thereupon the following Commission was (issued and) filed in
 the records of the following, to wit:
 Queen Anne's County, to wit: The State of Maryland, &c. To Samuel W.
 DeLorsey, James Lafourcade, and Marceline Lafourcade,
 Gentlemen, of the City of Philadelphia in the State of Pennsylv-
 ania greeting: Whereas Sarah E. Bryan as next friend of
 Fannie Bryan an infant under the age of twenty one years and
 David Jones and Sarah F. Jones, his wife, as next friends of
 Samuel L. DeLorsey an infant under the age of twenty one years, have
 filed their Bill of Complaint in the Circuit Court for Queen Anne's County as
 a Court of Equity setting forth that the said Infants descent from their

respective fathers John L. Bryan and Thomas W. DeCoursey are seized of undivided moieties in fee simple in certain Real Estate situate in Queen Anne's County and State of Maryland, the undivided moiety of the said Fannie Bryan being subject to the right of Dower of the said Sarah E. Bryan widow of said John L. Bryan and the undivided moiety of the said Samuel G. DeCoursey being subject to the right of Dower of the said Sarah F. Jones relict of said Thomas W. DeCoursey: that by the last Will and Testament of Edward Williams late of Anne Arundel County, deceased the estate of said Fannie Bryan and Samuel G. DeCoursey in and to said Real Estate is liable to be defeated by the death of Edward L. Williams without leaving a child or children living at the time of his death, in which event Joseph Selby Williams if then living or in case of his death, those persons who will at that time answer the description of heirs to him, will be entitled to said Real Estate: that said Real Estate consists of parts of two tracts of land called Westminster and Commons Neck and contains three hundred and seventy two acres more or less: that in consequence of the decayed state of the buildings and the want of sufficient out houses on said premises and the inability of the owners and especially of those entitled to the present profits to repair and build, it would be greatly to the advantage of said Infants and of all persons having any interest contingent or otherwise in said premises that the same should be sold and the money invested in some productive fund: that the annual interest of the purchase money will greatly exceed the net annual Rents and that the said Sarah E. Bryan and David Jones and Sarah F. Jones his wife are willing that the above mentioned Dower rights should be sold under a decree of the Court and in lieu thereof to receive such sum in gross or such portion of the annual interest of the fund arising from the sale as the Court in its discretion may award: but for as much as the said Samuel G. DeCoursey is not only an Infant under the age of twenty one years but also a nonresident of the State of Maryland and cannot answer the said Bill, nor defend this suit without having a guardian assigned in that behalf: Be it therefore known that the Court has given unto you full power and authority, to assign and appoint a guardian for said Infant and to take the answer of said Infant by such guardian to the said Bill, and you are hereby requested that at such day and place as you shall think fit, you or any two of you go to said Infant, if he can not conveniently come to you and assign and appoint a guardian to said Infant and take the answer of said Infant to the said Bill, or such guardians lawful Oath to be administered by you, upon the Holy Evangelies, the said answer being distinctly and plainly written, and when you shall have so taken said answer, you are to send the same close under your seal together with your certificate of your having assigned such guardian as aforesaid, and this writ: unto said Court.

Witness the Honourable Richard B. Carmichael Esquire Judge of said Court the first day of November in the year eighteen hundred and fifty eight.
 Signed the 19th day of January 1859.

Madison Brown, Clerk,

Whereupon the Commissioners named in the foregoing Commission make return of the execution of said Commission, in the form and words following, to wit:

To the Honorable Richard B. Carmichael Judge of the Circuit Court for Queen Anne's County as a Court of Equity. The undersigned litigene of Pennsylvania and the Commissioners named in the annexed Commission hereby report that in execution of the powers thereby vested in us; We had Samuel G. DeCoursey the Infant also named in said Commission brought before us in the City of Philadelphia in the State aforesaid on the 21st day of January 1859 and then and there in the presence of said infant did assign and appoint Edward Lafourcade of said City, Guardian and took the answer of said Infant by his said Guardian under the oath of said Guardian by us administered upon the Holy Evangelys, to the Bill in said Commission mentioned. Which said answer sworn to us aforesaid, is herewith returned close under our hands and seals this 21st day of January 1859.

S. G. DeCoursey
 E. Lafourcade
 M. Lafourcade



To the Honorable R. B. Carmichael Judge of the Circuit Court for Queen Anne's County - The answer of Samuel G. DeCoursey an Infant under the age of twenty one year residing in the City of Philadelphia and State of Pennsylvania by Edward Lafourcade his guardian to the Bill of Complaint of David Jones and Sarah F. Jones next friends of said Infant and others in the Circuit Court for Queen Anne's County exhibited - Says that the Commission to Samuel G. DeCoursey and others containing the object and substance of said Bill was read to him, but that being an Infant under the age of twenty one years he submits to such Decree in the premises, as to your Honorable Court may seem just, although he believes that it would be for his advantage that his interest in said Real estate should be sold.

S. G. DeCoursey
 by his Guardian. E. Lafourcade

State of Pennsylvania

City of Philadelphia, to wit } On this 21st day of January 1859
 Edward Lafourcade appointed by us guardian to take the answer of Samuel G. DeCoursey an Infant under the age of twenty one years, appeared before us and made oath on the Holy Evangelys that the matters and things stated in the foregoing answer are true to the best of his knowledge and belief.

S. G. DeCoursey
 E. Lafourcade
 M. Lafourcade

Whereupon an Order of Publication as to Joseph D. Williams was filed in the form and words, following, to wit -

Sarah E. Bryan as next friend of
 Fannie Bryan and David Jones
 and Sarah F. Jones his wife as
 next friends of Samuel G. DeCoursey

vs.
 Fannie Bryan & Samuel G. DeCoursey
 and Joseph Selby Williams

Circuit Court for Queen
 Anne's County as a Court
 of Equity -

The Object of this suit is to procure a Decree for the Sale of certain Real Estate consisting of two tracts or parts or parcels of two tracts of land called "West-ministers" and "Commons Neck" lying in Queen Anne's County -

The Bill states that Fannie Bryan by descent from her father John L. Bryan and Samuel G. Delcoursey by descent from his father Thomas W. Delcoursey are seized of undivided moieties in fee simple in said Real Estate; that Sarah E. Bryan as widow and relict of said John L. Bryan and Sarah F. Jones as widow and relict of said Thomas W. Delcoursey are entitled respectively to Dower interests in said Real Estate; that the estate of the said Fannie Bryan and Saml G. Delcoursey is liable to be terminated by the will of one Edward Williams by a limitation over of said Real Estate, in case of the death of one Edward L. Williams without a child or children living at the time of his death, to one Joseph Selby Williams or to those who shall at that time answer the description of heirs to him; that said Edward L. Williams, has now living two children; that from the dilapidated and ruinous condition of the Dwelling House and out buildings on said Real Estate and the inability of the parties having an interest therein and especially those having the present interest to repair or build on said Real Estate, it is to the interest of all parties concerned, both those having a present and contingent interest that the same should be sold and the proceeds arising from said sale invested in some productive fund the principal to await the happening or failing of the contingency aforesaid & that said Joseph Selby Williams resides out of the State of Maryland - It is therefore adjudged and ordered on this 10th day of January 1859 by the Circuit Court for Queen Anne's County that the complainants by causing a copy of this order to be inserted in some Newspaper published in the City of Baltimore, once in each of three successive weeks before the fifth day of March next give notice to the said absent defendant of the object and substance of this bill; and warn him to appear in this Court in person or by Solicitor on or before the first Tuesday of May next to answer the premises and show cause if any he has why a Decree should not be passed as prayed.

Madison Brown, Clerk,

And therefore on the 25th day of January in the year eighteen hundred and fifty nine, the following writ was filed, to wit:

Queen Anne's County, to wit: The State of Maryland &c. To James M. Deal Esq. of Queen Anne's County Gentleman Greeting:
Circuit Court of Queen Anne's County:
Whereas Sarah E. Bryan as next friend of Fannie Bryan an Infant, and David Jones and Sarah F. Jones his wife as next friends of Samuel G. Delcoursey an Infant have lately exhibited their Bill of Complaint in the Circuit Court for Queen Anne's County against the said Fannie Bryan, Samuel G. Delcoursey and Joseph Selby Williams Defendants; and whereas by writ issued out of the said Circuit Court the said Defendant Fannie Bryan was commanded to appear in the said Circuit Court, at a certain day to answer the said Bill, but for as much as the said Fannie Bryan is an Infant under age and cannot answer the said Bill nor defend this suit without having a Guardian assigned in that behalf, Be it therefore known that full power and Authority are given hereby unto you, to assign and appoint a Guardian for the aforesaid infant and to take the answer of the

20

Said Infant by such guardian to said Bill, and you are hereby authorized and empowered that at such certain day and place as you shall think fit, you go to the said Infant if she can not conveniently come to you and assign you and appoint a guardian for the aforesaid Infant and take the answer of the said Infant by such guardian to said Bill on such guardian's corporal Oath upon the Holy Evangelies to be administered by you, the said answer being distinctly and plainly written, and when you shall have so taken the said answer, you are to return the same closed up under your seal, together with your certificate of your having assigned and appointed such guardian to the Circuit Court aforesaid and also this writ - Witness the Honorable R. R. Carmichael Esquire, Judge of the said Court the 24th day of January in the year eighteen hundred and fifty nine.


Dated the 3^d day of Feby. 1859.

Madison Brown, Clerk,

Therefore James M. Seegar Esquire, the Commissioner named in the aforesaid Commission, makes return of the execution of the same in the words following, to wit:

To the Honorable R. R. Carmichael Esquire Judge of the Circuit Court for Queen Anne's County -

The Subscriber being the Commissioner named in the annexed Commission, hereby certifies that in pursuance of the authority thereby conferred on me, I did on the 14th day of February 1859 proceed to the Dwelling House of Mrs Sarah E. Bryan in Centerville where Fannie Bryan the infant in said Commission there was caused said Infant to come before me and then and there in the presence of said Infant assigned and appointed William J. Hoopes of Queen Anne's County guardian to said infant and took the answer of said Infant by her said Guardian under the oath of said guardian, by me administered, to the Bill of Complaint in said Commission mentioned, which said answer with said Commission is herewith returned, closed up under my hand and seal this 14th day of February eighteen hundred and fifty nine.

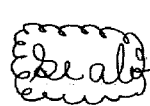
James M. Seegar 

To the Honorable R. R. Carmichael Esquire Judge of the Circuit Court for Queen Anne's County -

The answer of Fannie Bryan, Infant under the age of twenty one years by Wm. J. Hoopes her Guardian to the Bill of Complaint of Sarah E. Bryan as next friend of said Infant and others against her and others in the Circuit Court for Queen Anne's County exhibited - This Defendant can not admit any of the matters and things alleged in the said Bill and being an infant of tender years submits her rights to the protection of this Court -

W. J. Hoopes, Guardian to
Fannie Bryan

On this fourteenth day of February 1859, the above named William James Hoopes appeared before me Commissioner and made Oath that the matters and things stated in the foregoing answer are true to the best of his knowledge and belief -

James M. Seegar 

And thereupon the following certificate of Publication was filed, to wit:

Weekly Argue Office

Baltimore February 22^d. 1859

We hereby certify that the annexed advertisement of case of Bryan et al vs Bryan et al, was inserted in the Baltimore Argue, (a weekly newspaper, printed and published in the city of Baltimore,) three consecutive times, the first insertion thereof being on the Fifth day of February, 1859.

for R. H. Richardson & Co
F. H. Richardson

Whereupon further process of and upon the premises aforesaid is further continued until the first Monday of May next at which said first Monday of May in the year eighteen hundred and fifty nine comes into court there as well the said Sarah E. Bryan next friend of Fannie Bryan and David Jones & Sarah F. Jones next friends of Samuel G. DeCoursey by their Solicitor aforesaid and the said Fannie Bryan and Samuel G. DeCoursey Infants and Joseph Selby Williams by their Solicitors aforesaid. Thereupon the following Commission was issued in the words, to wit:

Queen Anne's County, to wit: The State of Maryland, To Thomas S. Wilson,
Deed William S. Price and Matthias George of Queen Anne's County
Solicitor General: Be it known unto you that by an order of the Circuit Court for Queen Anne's County as a Court of Chancery passed on the thirteenth day of May eighteen hundred and fifty nine in a cause in said Court in which Sarah E. Bryan as next friend of Fannie Bryan and David Jones and Sarah F. Jones his wife as next friends of Samuel DeCoursey Infants are complainants and the said Fannie Bryan and Samuel DeCoursey Infants and Joseph Selby Williams are defendants, you or a majority of you are hereby authorized to go to, enter upon, walk over, view and ascertain by competent and disinterested evidence the real value of that farm or Real Estate situate in Queen Anne's County, being parts of two tracts called "Westminister" and "Commons Neck", of an undivided moiety whereof Thomas S. DeCoursey the Father of said Samuel DeCoursey died seized and of the other undivided moiety whereof John C. Bryan the Father of Fannie Bryan died seized and containing three hundred and seventy two acres more or less, taking into consideration the quality, situation, location, improvements, with all the advantages, and also the disadvantages and incumbrances attending the same and whether it will be to the interest and advantage of the Infants that the said lands should be sold: and that you report the same to the said Circuit Court for Queen Anne's County with your reasons therefor: Provided nevertheless that before you or a majority of you shall act in the premises, you & each of you are hereby authorized to administer unto each other the oaths as hereunto annexed which you and each of you that are to act, shall take before he proceeds to act. Witness the Honorable Richard P. Cas-
michael Esquire Judge of said Court this thirtieth day of May in the year Eighteen hundred and fifty nine.

Madison Brown, Clerk,

Commissioners

You Thomas S. Wilson, Matthias George and William S. Price shall according to the best of your skill and judgment impartially ascertain the quality and value of the lands mentioned in the annexed Commission, with the advantages and incumbrances attending the same, and a true report

thereof make to the best of your skill and judgment, So helps you God -

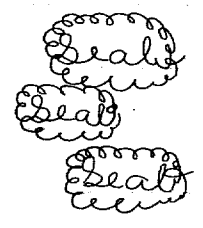
Thereupon the commissioners named in the foregoing commission makes return of the execution of same in the words following, to wit:

To the Hon^{ble} Judge of the Circuit Court for Queen Annes County,
The undersigned commissioners having taken the oath prescribed in the commission issued by an order of the Circuit Court for Queen Annes County, as a Court of Chancery in a cause in which Sarah E. Bryan as next friend of Fannie Bryan and David Jones and Sarah F. Jones his wife, de next friends of Samuel Delorsey. Infants are complainants and Joseph Selby Williams and Fannie Bryan and Samuel Delorsey Infants are Defendants Report, that they entered upon the farm described in the commission as Westminster and Commons Neck, and after carefully considering the condition of the lands and buildings and situation &c, estimated its present value to be three thousand seven hundred and twenty dollars, or ten dollars per acre -

And we further report that it is our opinion that the best interest of the Infants require its sale - Because the house used as a dwelling is in a very bad condition, and in such a state of decay, that it could not be repaired without loss - the out buildings are also in such a decayed state as to be unfit to secure grain and could not be repaired with advantage; and the fences and general condition of the farm is such that it cannot be rented or managed without loss to complainants.

All of which we respectfully submit as witness our hands and seals this September 16th 1859.

Thomas L. Willem
Matthias George
Wm. L. Price



Thomas L. Willem = 2 days at \$200 per diem
Matthias George " " " " " "
William L. Price " " " " " "

Whereupon further process of and upon the premises aforesaid is further continued from term to term of said Court until the fourth Monday of January next at which said fourth Monday of January in the year eighteen hundred and sixty, comes into Court here as well the said Sarah E. Bryan next friend of Fannie Bryan and David Jones and Sarah F. Jones his wife next friends of Samuel Delorsey by their Solicitors aforesaid and the said Fannie Bryan and Samuel Delorsey and Joseph Selby Williams by their Solicitors aforesaid, files in Court here the following Petition, to wit:

Sarah E. Bryan next friend of Fannie B. Bryan and David Jones and S. F. Jones his wife next friends of Samuel Delorsey
Fannie B. Bryan Samuel Delorsey and Joseph Selby Williams

In the Circuit Court for Queen Annes County in Equity.

Nov. Term 1859

To the Honorable R. B. Lammichall Judge of the Circuit Court for Queen Annes County.

The Petition of the complainants in this cause to your Honor respectfully

shows that they are advised that Edward b. Williams of Anne Arundle County claims and interest in or title to the Real Estate in the proceedings in this cause mentioned and in as much as it is desirable that the whole title to said Real Estate should be adjudicated in this cause, it is proper that the said Edward b. Williams should be made a party Defendant therein, your Petitioners therefore pray your Honor for leave to file an amended bill setting forth in addition to the matters and things stated in the Original Bill that Edward b. Williams of Anne Arundle County claims an interest or title to said Real Estate and making the said Edward b. Williams a party Defendant and for process for the said Edward b. Williams &c to appear and answer said Original and amended Bill, and as in duty bound &c

John B. Barron
Sole for Complainants

Whereupon the following agreement was filed, to wit:

It is agreed that the complainants in the above cause shall be at liberty to file an amended Bill agreeably to the prayer of the above petition
Jno. M. Robinson, Sol. for
Ed. b. Williams

And thereupon the Court passed the following Order, to wit:

Ordered this 31st day of January 1860. that the complainants shall be at liberty to file an amended Bill agreeably to the prayer of the above petition
Rich^d Bth Barnichall

Sarah E. Bryan next friend of
Fannie K. Bryan, and David
Jones & Sarah F. Jones next
friend of Samuel Delcoursey
vs
Fannie K. Bryan, Samuel
Delcoursey, Joseph Selby
Williams

Be it remembered that on this 31st day of January in the year Eighteen hundred and sixty, Sarah E. Bryan next friend of Fannie K. Bryan and David Jones and Sarah F. Jones his wife next friends of Samuel Delcoursey by John B. Barron Esq. their Solicitor filed in Court here their amended Bill of Com-

plaint against Fannie Bryan, Samuel Delcoursey and Joseph Selby Williams in the words following to wit:-

To the Honorable R. B. Barnichall Judge of the Circuit Court for Queen Anne's County in Equity -

The amended Bill of Complaint of Sarah E. Bryan as next friend of Fannie K. Bryan and David Jones and Sarah F. Jones his wife next friends of Samuel Delcoursey humbly shows that heretofore they filed their Bill of Complaint against the said Fannie K. Bryan, Samuel Delcoursey and Joseph Selby Williams setting forth that the said Fannie K. Bryan and Samuel Delcoursey are seized in fee by descent from their respective fathers John b. Bryan and Thomas W. Delcoursey of undivided moieties in fee of certain Real Estate situated in Queen Anne's County called Westminister and Commons Neck containing 37² acres more or less subject to the right of Dower of said Sarah E. Bryan widow of John b. Bryan and Sarah F. Jones widow of said Thomas W. Delcoursey; also that the estate of said Fannie K. Bryan and Samuel Delcoursey are liable to be defeated by the death of one Edward b. Williams without leaving a child or children living at the time of his death: that in that event one Joseph

Selby Williams if then living or in case of his death, those persons who would
 at that time answer the the description of heirs to him, would be entitled thereto
 as per copy of the last will and testament of Edward Williams marked as
 Exhibit A. and filed as part of said Original Bill will appear: also that
 said Edward L. Williams is now living and has two children living:
 that in consequence of the decayed condition of the buildings and the inabil-
 ity of the parties entitled to the present profit to repair, it would be to the in-
 terest of Fannie K. Bryan and Samuel DeCoursey who are Infants and
 of all persons having any interest contingent or otherwise in said Real Es-
 tate that the same be sold and the money invested in some productive
 fund not only during the minority of said Fannie K. Bryan and Sam-
 uel DeCoursey but to await the contingency aforesaid provided for by the
 will of Edward Williams - that the said Sarah E. Bryan and David Jones
 and wife are content that their respective Dower interests shall be sold they
 taking what ever share of the fund the court may consider them entitled to
 in lieu thereof and praying for the sale of said Real Estate and the invest-
 ment of proceeds of sale accordingly: to which said Bill the Infants
 by Guardians duly appointed answered and other proceedings were
 had as by the same now in this court will appear, and your Orators
 now charge by way of amendment to their aforesaid Bill of Complaint
 that they are advised that Edward L. Williams of Anne Arundel County
 hereinbefore mentioned claims some interest in or title to the aforesaid
 Real Estate but what the same is, is unknown to your Orators and that
 as it is important that the title to said Real Estate should be finally
 adjudicated in this cause and that the interest of all persons having any
 claim to the same requires that the same should be sold by Decree of this
 court, the said Edward L. Williams is a necessary party to this suit.

To the end therefore that the said Edward L. Williams may
 answer as well the matters charged in the said Original Bill as in
 this amendment thereto and that a Decree may be passed as prayed
 by said Original Bill, May it please your Honor to grant unto your
 Orators the writ: of Subpoena against the said Edward L. Williams
 commanding him to appear to and answer the said Original and
 amended Bill and abide by and perform such decree as may be pas-
 sed therein and as in duty bound &c

J. B. Brown
 Solicitor for Comptee.

Thereupon the following Answer was filed, to wit:

Sarah E. Bryan next friend of
 Fannie K. Bryan & David Jones
 and D. F. Jones his wife next
 friends of Samuel DeCoursey
 32
 Fannie K. Bryan & others

In the Circuit Court of Queen Anne's
 County sitting in Equity
 January Term 1860.

The Answer of Edward L. Williams to the Bill of Complaint of
 Sarah E. Bryan next friend of Fannie K. Bryan & others against him
 in the Circuit Court of Queen Anne's County Exhibited.

The Defendant claims that he is the owner & legally entitled to the
 Real Estate mentioned in Bill of Complaint: that it was devised to him
 by one Edward Williams by last will & testament, now on record in the

Office of Register of Wills for Queen Anne's County & that he was in possession of said Real Estate until the year Eighteen Hundred & forty four.

That being indebted unto sundry persons his father in Law one John Weedon promised to loan him seven Hundred dollars, to secure the payment of which he executed a conveyance of said real estate to the said Weedon on the twenty fourth day of October in the year Eighteen Hundred & forty three which said conveyance although absolute on its face was intended and so understood by the said Weedon & this defendant to be but a mortgage to secure the payment of the loan as aforesaid: But your defendant alleges that after the execution of said conveyance the said Weedon refused to loan him the aforesaid sum of money or any part thereof.

This defendant further answers & says that John C. Bryan and Thomas W. DeCoursey trading under the firm of Bryan & DeCoursey recovered judgment against him at the May Term of Queen Anne's County Court for the year Eighteen Hundred & forty four for the sum of one Hundred & twenty seven dollars & thirty eight cents; and that a judgment was also rendered against him before the Magistrate Court for District No. 5, in Queen Anne's County in favor of William Skinner Esq use of Thomas H. Kemp use of W. C. Kinggold for the sum of seventy eight dollars & forty four cents, & entered in the Clerk's Office on the sixteenth day of April 1844.

That Thomas Sutton Sheriff of Queen Anne's County by virtue of a writ of venditioni exponas on the said judgment of Skinner use of Kemp use Kinggold offered the said Real Estate at public sale & that the same was returned by the said Sutton as Sheriff sold to the said John C. Bryan and Thomas W. DeCoursey at and for the sum of one hundred & ten dollars,

This defendant further answers and says that it was agreed between the said John C. Bryan & Thomas W. DeCoursey that the said Real Estate should be struck off to them & they returned the purchasers, & that should hold the same & receive the annual rents thereof until they should have been paid their judgment, the said purchase money & whatever other legal liens there might be against it & then they were to surrender & deliver up the said Real Estate to this defendant, that it was upon the faith of this agreement and understanding that the friends of this defendant who had promised to relieve him thought it best not to interfere, & suffered the property to be sold as aforesaid,

That the said John C. Bryan and the said Thomas W. DeCoursey did each acknowledge to this defendant in their lifetime that the annual rents of said Real Estate had fully satisfied & paid their judgment & all other liens upon it & that they would convey to him all their right in & to the said Real Estate, that the said Thomas W. DeCoursey just before his death wrote to this defendant that if he would come to Queen Anne's County where he resided, he would execute any paper or conveyance desired by him to carry out the agreement made as aforesaid stated on the day of sale. The the said John C. Bryan also not a few months before his death in the presence of other persons made a similar promise & your defendant believes that the promise in each case would have been faithfully met had not death have prevented.

This defendant further states that in pursuance of said sale as aforesaid & the agreement based thereon the said John C. Bryan & Thomas W. DeCoursey took possession & received the rents & profits of said real estate

until the first day of January 1859

This defendant denies that the said John L. Bryan and Thomas M. De-
loursey ever had any other interest in said real estate that as above stated
that the said Sheriff sale never gave them any other estate & that the said sale
itself could not have given them any title because it was irregular & void.

That the said property only sold sold for one hundred & ten dollars & the
other liens upon it did not amount to more than five hundred dollars,
whereas the said Real Estate was worth at that time between five and
six thousand dollars

This defendant therefore says that the complainants in this cause are
not entitled to any interest in said real estate.

Jno W. Robinson Sol. for.
E. L. Williams

Whereupon the following agreement was filed to wit:

It is agreed that the above answer shall be taken & considered by the
court as if the same had been made under oath

Jno W. Robinson
Sol for E. L. Williams
J. R. Pugh
Sol. for Comptts

Whereupon the following agreement was filed, to wit:

Sarah E. Bryan next friend of
Fannie Bryan & David Jones
next friend of Sam DeLoursey
vs
Fannie Bryan & others

In the Circuit Court of Queen Anne's County
setting in Equity
January Term 1860.

Relieving it to be to the interest & advantage of all parties to this suit that
the real estate mentioned in the proceedings should be sold because of the ruinous
condition of the buildings & fencing & the unimproved condition of the said real
estate, it is hereby agreed that a decree shall be passed for the sale thereof on such
terms as shall be prescribed by the Circuit Court of Queen Anne's County reserving
by said Decree the right & privilege of the said Court upon the Evidence in the
cause now or hereafter to be filed to adjudicate & determine the rights & interests
of the parties to the proceeds arising from the sale of said real Estate as fully as
if said Decree had not been passed

And it is further agreed that the parties to this suit may after any legal Ev-
idence before the Commissioners which may tend to show their respective interests
and that Edward L. Williams may offer Evidence to prove that a conveyance
of the real estate mentioned in the proceedings by him to one John Wheedon on
the twenty fourth day of October in the year Eighteen Hundred & forty three was
intended as a mortgage or security in nature thereof also any evidence which may
tend to show said deed or Mortgage to be void, and any other evidence deemed necessary
to the protection of his interest subject to all just exceptions.

It is further agreed that at the final hearing of said cause no advantage
shall be taken by either party of any defect in the form of the pleadings or other proc-
eedings, it being the object of all parties that their rights shall be heard & determined
upon their real merits upon legal evidence as aforesaid each party reserving the right
to appeal from the decision of the Court below.

John M. Robinson, Sol. for E. L. Williams
John R. Brown Sol for complainants

Whereupon the court passed the following decree, to wit:

Sarah E. Bryan next friend of
Fannie R. Bryan and David Jones
and Sarah F. Jones as next friends
of Samuel Delcoursey.

vs
Fannie R. Bryan, Samuel Delcoursey,
Joseph Selby Williams and Edward L. Williams

Circuit Court for Queen Anne's
County in Equity

This cause being submitted on the pleadings and proceedings in the cause, the same were read and considered, and it appearing to the court here that it would be for the interest and advantage of the Infants Fannie R. Bryan and Samuel Delcoursey that their title to the Real Estate in the proceedings in said cause mentioned, if any should be sold, and the said Sarah E. Bryan and David Jones and Sarah F. Jones his wife, having consented to the sale of whatever Dower interest they may be entitled to in said Real Estate and the Solicitors for the parties having filed their agreement in writing that a Decree shall be passed by this court for the sale of said Real Estate and it also appearing that the order of publication naming Joseph Selby Williams and those claiming under him to appear in this court and answer the bill of complaint has been duly published and he or they not appearing thereto, the bill as to them be taken pro confesso. It is therefore this thirty first day of January in the year eighteen Hundred and sixty by this court and by the authority thereof, adjudged, ordered and decreed that the real estate, in this cause mentioned, be sold; that John M. Robinson and John R. Brown of Queen Anne's County be and the same are hereby appointed Trustees to make said sale and that the course and manner of their proceedings shall be as follows: They shall first file with the clerk of this court a Bond to the State of Maryland in the penalty of ten thousand dollars conditioned for the faithful performance of the trust reposed in them by this Decree or that may be reposed in them by any future order or Decree that may be passed in the premises - They shall then proceed to make said sale after giving at least three weeks notice of the time, place, manner and terms thereof by public advertisement inserted in some paper published on the Eastern Shore of Maryland and such other notice as they may think fit, which terms shall be as follows: Three Hundred dollars cash on the day of Sale and the balance in six, twelve and eighteen months from the day of Sale to be secured by the Bonds or notes of the purchaser or purchasers with security to be approved by the Trustees -

Discretion is given said Trustees to sell said Real Estate either entire or in parcels as they shall deem expedient and as soon as convenient after such sale the said Trustees shall return to this court a full and particular account thereof, with an affidavit of its truth and the fairness of such sale annexed - and on the ratification of such sale by this court and the payment of the whole purchase money and not before, the said Trustees shall convey to the purchaser or purchasers the property to him or them sold by deed to be executed and acknowledged agreeably to law, discharged from all claims of the parties to this cause and also of the said Sarah E. Bryan in her own right and of the said David Jones and wife in right of his said wife and of all persons claiming by from or under any of them - and the said Trustees shall bring into this court the money and Bonds arising from such sale to be disposed of under the direction of this court after deducting therefrom the costs of this

and such commissions as the said court may award to the said Trustees for the attention, fidelity and skill with which they shall appear to have discharged their Trust and in pursuance of the aforesaid agreement liberty is hereby reserved to the respective parties to this cause to prosecute their respective claims to the funds arising from the said sale to be made by the Trustees as fully as they might or could have done to the said Real Estate and the court reserves the right to pass any future order or decree in reference to said proceeds of sale as shall best secure the interests and rights of the parties who may in its judgment be entitled thereto

Richard B. Barnichall

Whereupon John M. Robinson and John B. Brown Esquires the trustees named in the aforesaid Decree, files in court here their bond in the words following to wit:

Sarah E. Bryan next friend of Fannie K. Bryan, and David Jones and Sarah F. Jones his wife next friends of Saml. Delboursey
Fannie K. Bryan, Samuel Delboursey, Joseph Selby Williams, and Edward C. Williams

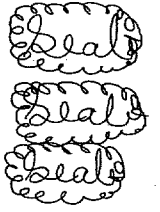
In the Circuit Court for Queen Anne's County in Equity

Know all men by these presents that we John M. Robinson, John B. Brown, Pere Wilmer of Queen Anne's County State of Maryland, are held and firmly bound unto the said State of Maryland in the full and just sum of ten thousand dollars current money to be paid to the said State or its certain attorney: to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, sealed with our seals and dated this seventeenth day of July in the year eighteen hundred and sixty

Whereas by a decree of the Circuit Court for Queen Anne's County in Equity, bearing date the thirty first day of January in the year eighteen hundred and sixty and passed in a cause wherein Sarah E. Bryan next friend of Fannie K. Bryan and others are complainants and Edward C. Williams and others are defendants the above bound John M. Robinson and John B. Brown have been appointed Trustees to make sale of certain Real Estate in the proceedings in said cause mentioned, Now the conditions of the above obligation is such that if the above bound John M. Robinson and J. B. Brown do and shall well and faithfully perform the Trust reposed in them by said Decree or that may be reposed in them by any future order or decree in the premises; then the above obligation to be void, otherwise to remain in full force and virtue in Law -

Signed Sealed and delivered in the presence of M. Brown Jr.

John M. Robinson
John B. Brown
Pere Wilmer



On the back of the aforesaid is thus endorsed, to wit:
Security approved July 17th 1860

Madison Brown, Clerk,

Whereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of January next at which said fourth Monday of January in the

year Eighteen Hundred and sixty one, come into court here as well the said Sarah E. Bryan next friend of Fannie K. Bryan and David Jones and Sarah F. Jones his wife next friends of Samuel Delbousey by their Solicitors aforesaid, and the said Fannie K. Bryan and Saml. Delbousey. Joseph Selby Williams and Edward W. Williams by their Solicitors aforesaid. Whereupon John M. Robinson & John P. Brown Esquires, the Trustees named in the aforesaid Decree files in court here their Report of Sales in the words following, to wit:

Sarah E. Bryan next friend }
of Fannie K. Bryan & David Jones }
his wife next friends of Samuel Delbousey }
Es. } In the Circuit Court for Queen Anne's County
Fannie Bryan & others } in Equity

To the Hon: R. P. Lammichael, Judge of the Circuit Court for Queen Anne's County in Equity

The Report of John M. Robinson and J. P. Brown, Trustees appointed by the Decree in this cause, to make sale of certain Real Estate therein mentioned, shows: that after giving Bond with security for the faithful discharge of their trust, as required by said Decree and giving notice of the time, place, manner and time of sale by advertisement in the Centerville States Rights in the Centerville Times, in the Maryland Citizen, three papers published in the town of Centerville Queen Anne's County and also by hand bills extensively circulated throughout this, the adjoining Counties, City of Baltimore and State of Delaware, they did pursuant to said notice, attend in front of the Court House, in the town of Centerville, Q. Anne's Co., on Tuesday, the thirty first day of July in the year eighteen Hundred and sixty, between the hours of two and five O'clock P.M. and then and there proceeded to sell said Real Estate as follows to wit:—

Having first offered said Real Estate in two tracts one containing ninety nine acres, the other about two hundred and forty acres, Separately, and having heard the bids therefor your Trustees then offered said Real Estate, that is to say all those tracts of land called "Westminister", "Commons Neck" and "St Pauls Fourth", situated on the public road leading from Centerville to Queenstown, commonly known as the "Williams Farm", within a mile or so of Queenstown and containing three Hundred and thirty nine acres one rood and twenty nine perches of land more or less, in one body or tract, and the aggregate amount of the purchase money bid for the whole, offered in the whole, exceeding the aggregate bid for the whole offered in two tracts or parcels as aforesaid according to announcement before sale, the highest bidder for the whole offered in the whole as one body or tract of land, who was S. Williams Stevens, was declared the purchaser thereof at and for the sum of thirteen dollars and seventy five cents per acre being the highest bid then and there made therefor making the aggregate purchase money to be the sum of four thousand six hundred and sixty seven dollars and fifteen cents.

The said S. William Stevens having secured to your Trustees the cash payment of said purchase money, to wit: the sum of three Hundred dollars, your Trustees then took his Bond executed by himself with Pere Palmer as security for the payment of the credit part of said purchase money said Bond being in the sum of four thousand three Hundred and sixty seven dollars and fifteen cents, payable in three equal instalments of six, twelve and eighteen months from day of sale, with interest on each instalment as it falls due—

All which your Trustees respectfully submit to the consideration of this Honorable Court.
Jno. M. Robinson
John P. Brown
Trustees

State of Maryland, Queen Anne's County, to wit:

On this sixth day of February in the year eighteen Hundred and sixty one before the subscribers, Justice of the Peace of State in and for County aforesaid personally appeared, John M. Robinson and John P. Brown, Trustees in the foregoing report and made oaths that the matters and things therein stated are true to the best of their knowledge and belief, and that the sale therein was fairly made -

Robt. B. Baynard J. P.

Whereupon the Court passed the following Order, to wit:

In the Circuit Court for

Queen Anne's County, in Equity

February 6th 1861 -

Ordered that the sale made and reported by John M. Robinson and John P. Brown, Trustees for the sale of the Real Estate directed to be sold by Decree of this Court in a cause wherein Sarah E. Bryan next friend of Fannie K. Bryan and others are complainants and Edward L. Williams & others are Defendants, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 7th day May next; provided a copy of this order be inserted in some paper printed at Centerville once in each of three successive weeks before the twenty sixth March next -

The Report states amount of Sales to be \$4667.15

Rich^d Bth Carmichael

Whereupon it appears by the Docket entries in this case that a commission was ordered and issued in the usual form to James Winters Esq. of Queen Anne's County to take testimony in this cause, it also appears by the docket entries of aforesaid that a commission was also ordered and issued in the usual form to Henry L. Gallan of Baltimore City to take testimony in said cause and afterwards to wit on the fifth day of March in the year last aforesaid the Trustees named in the foregoing Decree filed in Court here their petitions to the said Court in the words following, to wit:

Sarah E. Bryan next friend of Fannie K. Bryan & D. Jones & wife next friends of Saml. Debonsey

vs
Fannie K. Bryan, Saml. Debonsey & Edward L. Williams

In the Circuit Court for Q. A. County in Equity

To the Honorable R. B. Carmichael Judge of the Circuit Court for Queen Anne's County, in Equity.

The Petition of John M. Robinson & J. P. Brown your Trustees appointed by decree in the above cause to make sale of the Real Estate therein mentioned as by reference to proceedings in said cause in this Court and the Petition of J. W. Stevens, your purchaser at Sale made by your Trustees as aforesaid on 31 July 1860, as by reference to report of Sale filed by your Trustees in this cause to your Honor respectfully represent that Edward L. Williams a party to this cause and consenting to the decree for sale as aforesaid continues in possession of said Real Estate and still refuses he has heretofore refused to deliver possession of said Real Estate to your Trustees or their purchaser - that it is of the greatest importance that your purchaser J. W. Stevens should have immediate possession of the farm that it was with the understanding & belief that possession would be delivered him when demanded that he became the purchaser thereof that the purchase money which is a large sum

bears interest from date of purchase - that while your purchaser is so incurring interest taxes &c said land is wholly profitable to him - that in addition such is the condition of the farm the decaying state of the buildings, the bad condition of fences &c, said farm is deteriorating every day & is subject to trespass upon every hand -

That said Williams is wholly incapable of protecting or managing said property and is irresponsible for any waste damage &c that he may commit either to your Trustees or your purchaser, that said farm ought to be in the hands of some careful and discreet person for its protection and security and for protection of the interests therein -

Wherefore your Petitioners unite in praying your Honor to pass an order commanding said E. L. Williams to appear in this Court on some certain day to answer fully the premises and show cause why he should not be removed by this Court and possession of said Real Estate delivered to said J. W. Stevens to be subject to order of this Court until final ratification of said sale, or to your Trustees or some other discreet & careful person for the protection and management of said property under the direction of this Court - and as in duty bound &c.

John B. Brown
Jno. M. Robinson
J. William Stevens

Therefore the Court passed the following Order, to wit:

Ordered on this 4th day of March 1861 that Edward L. Williams appear in this Court on or before the 11th day of March instant and answer unto the foregoing petition and show cause if any he has why of said Real Estate is not delivered to J. W. Stevens purchaser named in said Petition, to the Trustees in this cause, or some other discreet persons as prized by said petitioned, provided a copy of this order, with foregoing petition is served upon the said E. L. Williams on or before the 7th day of March instant

Rich^d. Bth. Barnichael

Afterwards to wit: on the 7th day of March in the year last aforesaid John R. Story Esq. Sheriff of Queen Anne's County aforesaid makes return of a copy of the foregoing petition and order of Court thereon thus endorsed to wit:

Served in time

John R. Story, Sheriff

And therefore it appears by the docket entries in this cause that a writ of Habere Facias possessionem was ordered and issued in the usual form, And therefore the following Plat and Certificate was filed, to wit:

State of Maryland,

Queen Anne's Co. I to wit:- I hereby certify that I have surveyed for John B. Brown and John M. Robinson Esqrs, a tract of land called adjoining the lands of Lloyd Silghman William S. Price & Silghman Goldborough Esqrs and others, contained within the following metes and bounds, courses and distances, to wit: Beginning at a stone at the end of the line between said land and Silghman Goldborough's land and running thence North thirty one degree thirty minutes West three perches, thence North seventy five degree West fourteen perches, thence North seventy nine degree West one hundred and sixty three perches thence North fifteen perches and two tenths of a perch, thence North fifty nine degree West six perches, thence North fifty degree West six perches, thence West seventy perches, thence North sixty three degree thirty minutes West fourteen perches, thence North eighty four degree West thirty two perches, thence West fourteen perches, thence South seventy five degree West eight perches, thence South eighty nine degree West fourteen perches, thence South three degree East ninety six

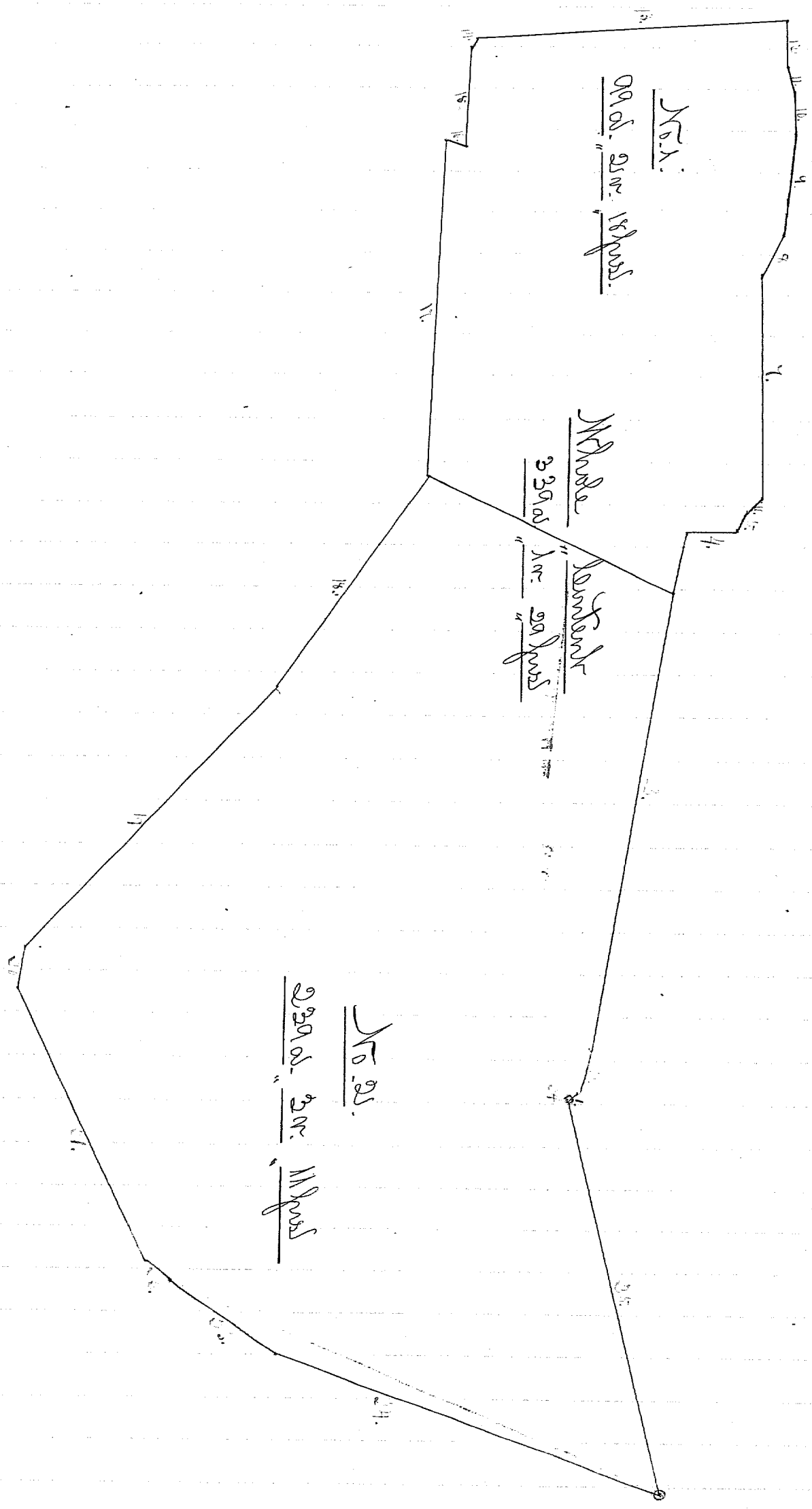
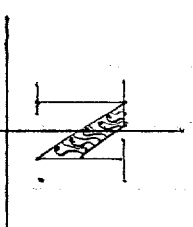
perches, thence South forty four degrees East three perches, thence South eighty seven degrees East thirty two perches and a quarter of a perch, thence South nineteen degrees West six perches, thence South eighty eight degrees East one hundred and six perches, thence South fifty four degrees East eighty perches, thence South forty six degrees East one hundred and twelve perches, thence South eighty one degrees East twelve perches, thence North sixty five degrees East ninety two perches, thence North forty two degrees East ten perches, thence North thirty five degrees East forty one perches, thence North nineteen degrees East one hundred and twenty six perches to a stone and thence with a straight line to the beginning containing three hundred and thirty nine acres one rood and twenty nine perches of land.

The above Survey was made without papers, by the holdings as shown by division fences from the beginning to the end of the twenty first line; The balance was run by marked trees in the woods pointed out to me as being upon the line by Messrs. Edward Hill - name, Mr Wm. L. Price, Mr Marvel and others.

James N. Thompson, Sur &c.
June 14th 1860.

Note: I have divided the above into two lots No 1 and No. 2. as follows run from the end of one hundred and five perches on the seventeenth line in the Public Road, North twenty three degrees forty five minutes East to the end of one hundred and forty seven perches on the third line, No. 1 contains ninety acres, two roods and eighteen perches, and No. 2. two hundred and thirty nine acres, three roods and eleven perches.

James N. Thompson, Sur. of P. A. Co.
June 14th 1860.



Barnes W. Shumpton
 Surv. of R. W. Ross.
 Barnes 14th Fe. 1880.



Scale of Janssen.	
Dist	Bearings & Distances
1.	N. 21° 30' W. 3 fms
2.	N. 75° W. 14 "
3.	N. 70° " W. 16 1/2 "
4.	N 60° W. 15 1/2 "
5.	N. 50° " W. 6 "
6.	N. 50° " W. 6 "
7.	N 40° W. 70 "
8.	N 62° 30' W. 14 "
9.	N. 80° " W. 22 "
10.	N 40° W. 14 "
11.	S. 75° " W. 8 "
12.	S. 60° " W. 14 "
13.	S. 21° " E. 9 1/2 "
14.	S. 111° " E. 3 "
15.	S. 87° " E. 3 1/2 "
16.	S. 79° " W. 6 "
17.	S. 88° " E. 10 1/2 "
18.	S. 54° " E. 80 "
19.	S. 46° " E. 112 "
20.	S. 81° " E. 121 "
21.	N. 65° " E. 9 1/2 "
22.	N. 40° " E. 10 "
23.	N. 25° " E. 41 "
24.	N. 10° " E. 120 "
25.	339 d. 1st 20 fms.

Thereupon further process of and upon the premises aforesaid is further continued by regular continuances until the first munday of November in the year eighteen Hundred and sixty one, at which said day comes into court here as well the said Sarah E. Bryan next friend of Fannie K. Bryan and David Jones & Sarah F. Jones next friends of Samuel G. Delboursey, and the said Fannie K. Bryan, Samuel G. Delboursey, Joseph Selby Williams and Edward L. Williams by their solicitors aforesaid, And afterwards on the first day of January in the year Eighteen Hundred and sixty two, the following agreement was filed, to wit:

Bryan & others. }
vs }
Bryan & others. }

In the Circuit Court of Queen Anne's County,
In Equity.

The clerk will issue commission in above case to Charles G. Kern Esq. St Paul Street Balto, to take testimony in above case.

July 1/1862

Jno. W. Robinson
Sol for Williams
John B. Brown
Solt. for Comptts

Thereupon commission was issued in the form & words following, to wit:
Queen Anne's County, to wit: The State of Maryland to Charles G. Kern, Esquire of Baltimore City, greeting: Be it known that you are appointed commissioner to examine evidences in a cause depending in the Circuit Court for Queen Anne's County, between Sarah E. Bryan next friend of Fannie Bryan and David Jones and Sarah F. Jones his wife next friends of Samuel Delboursey, Complainant, and Fannie Bryan, Samuel G. Delboursey, Joseph Selby Williams and Edward L. Williams, Respondents: You are therefore hereby required, having first taken the oath hereto annexed, and also administered the annexed oath to the person whom you shall appoint as clerk to attend the execution of this commission, that at such time and place as to you shall seem convenient, you cause to come before you all such evidences as shall be named and produced to you by either the Complainant or Respondents: and that you examine them on their several oaths, to be by you administered upon the Holy Evangelies of Almighty God, touching their knowledge or remembrance of any thing that may relate to the cause aforesaid: and that you cause notice to be given to the parties or their solicitors of the execution of this commission, before you execute the same: and having reduced the depositions of the witnesses so taken by you into writing, you send the same with this commission, close under your hand and seal, to the said Circuit Court with all convenient speed.

Witness the Honorable Richard B. Carmichael, Judge of the said Court, the fourth day of November eighteen hundred and sixty one.
Signed the first day of January 1862. Madison Brown, clerk.

Commissioner's Oath.

You Charles G. Kern shall, according to the best of your skill and knowledge, truly, faithfully, and without partiality, to any or either of the parties in this cause, take the examinations and depositions of all and every the witnesses produced and examined by virtue of the commission hereto annexed, upon the interrogatories now, or which may hereafter, before the said commission is closed, be produced to and left with you, by either of the said parties.

So help you God.
Sworn before.

Oath

You shall truly, faithfully, and without partiality to any or either of the parties in this cause, take, write down, and transcribe the depositions of all and every the witnesses produced before and examined by the commissioners named in the commission hereunto annexed as far forth as you are directed and employed by the said commissioners to take, write down, and transcribe the said depositions, or any of them. So help you God.

Sworn before

John P. Brown, Esqr, Sol: for Complainants.
John M. Robinson Esqr. Sol: for Respondents.

Whereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of January next at which said fourth Monday of January in the year eighteen Hundred and sixty two, comes into court here as well the said Sarah E. Bryan next friend of Fannie R. Bryan and David Jones & Sarah F. Jones next friends of Samuel G. Debonsey by their Solicitors aforesaid and the said Fannie R. Bryan and Samuel G. Debonsey, Joseph Selby Williams and Edward L. Williams by their Solicitors aforesaid. Whereupon the court passed the following order, to wit:

Fannie R. Bryan by her next friend
Lillie E. Bryan and others.
vs
E. L. Williams & others.

In the Circuit Court for Queen Anne's County in Equity.
January Term 1862.

Ordered on this 11th day of February 1862 by this court and by the authority thereof that the sales heretofore reported in this cause be and the same are hereby finally ratified and confirmed, no cause to the contrary thereof having been shown although notice appears to have been given in accordance with conditional Order of ratification heretofore passed in this cause, the Auditor will allow the Trustees the expenses incurred by them in having the Real Estate, in the case directed to be by them, surveyed, plat and surveyors certificate whereof is filed among the proceedings in the cause, the Auditor will allow the Trustees all other reasonable and ordinary expenses and their usual commissions

Richard Bth. Barnichal

Whereupon the Trustees filed in court here their petition, in the words following, to wit:

Bryan &c
vs
Williams &c.

In the Circuit Court for Queen Anne's County in Equity.

The petition of John P. Brown and John M. Robinson Solicitors respectively for the complainants and Edward L. Williams Defendant, in this cause and the Trustees of this court herein, to your Honor respectfully represent that they have now in hand the amount of the purchase money for the Real Estate sold by them as by reference to their report of said sale on file in this cause, finally ratified and confirmed by this court, to wit:

The cash payment therefor	\$ 300. 00
The credit payment therefor	4367. 15
Interest thereon from 31 st July 1860, Day of Sale to this 15 th day of May 1862	469. 46
	<u>\$ 5136. 61</u>

Let the amount allowed by your Trustees to the said J. W. Stevens purchase out of the interest on his purchase money as per order of this court passed

11th February 1862Total amount 162.95

\$4973.66

Your petitioners represent that this cause is still in course of prosecution with no prospect of a speedy termination thereof that after the claims of the parties to this cause are adjudicated and finally determined, it may still be the duty of the Court to see that the principal of said purchase is properly and securely invested to await the contingency of the death of E. G. Williams with or without issue of his body lawfully begotten - that your petitioners do not wish longer to hold said fund in their hands with a continuing responsibility, with the exception of the cash payment of \$300.00 aforesaid, which they pray the Court to leave in their hands on account of commissions due them as Trustees on the purchase money as aforesaid, expenses in having said Real Estate surveyed & expenses incurred in making said sale so and otherwise as the Auditor of this Court may apply same - Whereof your petitioners pray your Honor to pass an order directing them to invest said balance of purchase money and the interest thereon after retaining said cash payment as aforesaid said balance being the sum of \$4673.66 in the hands of Pere Wilmer of Queen Anne's County, he being willing to receive same to be secured by good and sufficient Mortgage of Real Estate, the interest accruing thereon to be paid annually accordingly as this Court may hereafter direct and said sum of \$4673.66 and any and every part thereof to be subject to such order or disposition thereof as this Court may at any time or times in the future see fit to make.

Geo. M. Robinson
John R. Brown

Whereupon the Court passed the following Order, to wit:
Ordered, this fifteenth day of May 1862, on the foregoing petition of John M. Robinson and John R. Brown, Solicitors and Trustees in this cause as therein set forth and by the authority thereof, that they be and are hereby directed and allowed to retain the cash payment of \$300.00 for said Real Estate for the purposes and as prayed in their said petition that they are hereby further ordered and directed to invest said balance of purchase money and the interest thereon amounting to the sum of \$4673.66 in the hands of Pere Wilmer of Queen Anne's County to be secured by good and sufficient Mortgage of Real Estate to be approved by them, and they are hereby directed and authorized to make the necessary oaths as to the bona fides of the consideration for said Mortgage - said sum is to bear interest from the date of said mortgage to be paid annually by said Pere Wilmer to such persons and in such proportions as this Court may by its future order direct, and said sum of \$4673.66 and any and every part thereof to be at all times subject to such order or disposition thereof as this Court may see fit to make and direct
Whenever said Pere Wilmer shall fail to pay the annual interest on said sum as aforesaid to be invested in his hands according to the terms above specified or shall fail after reasonable notice to comply with the orders of this Court in reference to said principal sum of \$4673.66 or any part thereof, he shall then be considered in default and said Trustees may proceed to foreclose said Mortgage under the directions of this Court.

Rich^d. Bth. Lamichael

Thereupon further process of and upon the premises aforesaid is further continued until the fourth munday of July next at which said fourth munday of July in the year eighteen hundred and sixty two, comes into court here as well the said Sallie E. Bryan & others by their Solicitor aforesaid and the said Edward L. Williams & others by their Solicitor aforesaid. Whereupon Charles J. Kern Esq. the Commissioner named in the aforesaid Commission makes return of the execution of said Commission in manner & form following to wit:

Bryan & others
 vs
Bryan & others

In the Circuit Court of Queen Anne's County.

Interrogatories to be proposed to witnesses to be produced on part of Edward L. Williams one of the Defendants.

- 1st Are you or not acquainted with the parties to this suit or either & which of them, & how long have you known them.
- 2nd Did you or not in the year 1851 or 1852 go with Edward L. Williams to the house of John L. Bryan. If yes, state whether, & what conversation took place between them in regard to the alleged purchase of a farm belonging to said Williams by said Bryan & Saml W. DeCoursey.
- 3rd Did or not the said John L. Bryan at that time admit that he had no claim to the farm - that he had received rents enough to pay all the liens upon it.
- 4th Did he or not at that time promise to execute a deed or any other papers which Williams might desire for the purpose of completing his title.
- 5th Had you or not at any time a conversation with Samuel W. DeCoursey in regard to the purchase of the aforesaid Real Estate. If yes state what that conversation was.

Jno. M. Robinson
Sol. for E. L. Williams

At the execution of the annexed Commission issued out of the Circuit Court for Queen Anne's County and to me directed empowering me to examine witnesses in the cause depending in the said Court between Sarah E. Bryan, next friend of Fannie Bryan, and David Jones and Sarah J. Jones, his wife, next friends of Samuel J. DeCoursey Complainants; and Fannie Bryan, Samuel J. DeCoursey, Joseph Selby Williams and Edward L. Williams, Respondents.

I Charles J. Kern Commissioner therein named on the eighteenth day of January 1862 at No. 31 St Paul St. in the City of Baltimore having taken the Oath annexed to the said Commission, and having appointed J. W. Preston for my clerk, and having administered to him the Oath annexed to the said Commission to be taken by him, did proceed to take the following depositions, to wit:

John Basil for a witness of lawful age produced on the part of the Respondents being duly sworn and examined to interrogatories filed with the Commission by the Respondents and herewith returned deposes and says;

To the first interrogatory, That he is acquainted with Joseph Selby Williams and Edward L. Williams, and has known them for twenty years but has not seen Joseph Selby Williams for the last ten or fifteen years.

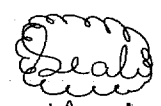
To the second interrogatory, That he did go with and at the instance of Edward L. Williams in or about the year 1851 to the house of John L. Bryan for the purpose of getting John L. Bryan to release his claim upon a tract of land in Queen Anne's County.

John B. Bryan said he had purchased that tract of land to save himself from
loss by reason of a debt due to the firm of Bryan and DeCoursey by Edw. W. Williams
To the third interrogatory, he is under the impression that John B. Bryan adm-
itted that his claim had been satisfied.

To the fourth interrogatory, John B. Bryan did agree to execute any deed to said
property that might be prepared to convey all the interest of the firm of Bryan &
DeCoursey to said tract of land to Medora Williams daughter of Edward W.
Williams.

To the fifth interrogatory, that he never saw Samuel G. DeCoursey.
John Basil Jr.

There being no other witnesses to be examined, and neither party desiring
further time for the production of his evidence, the commissioners closed
the said commission and herewith returns the same under his hand and
seal this twenty fifth day of June in the year eighteen hundred and sixty two.

Chas. G. Kern 
Commissioner

Therefore further proof of and upon the premises aforesaid is further continued by
regular continuances from term to term of said court until the first Monday of
May in the Eighteen Hundred and sixty four, at which said first Monday of
May comes into court here as well the said Sarah E. Bryan next friend of Fan-
nie K. Bryan and David Jones & Sarah F. Jones next friends of Samuel G. De-
Coursey by their Solicitors aforesaid and the said Fannie K. Bryan, Samuel G.
DeCoursey, Joseph Selby Williams and Edward W. Williams by their Solicitors
aforesaid. And therefore the following agreement was filed to wit:

Bryan & others }
vs } In the Circuit Court for Queen Anne's County
Williams & others } in Equity.

It is hereby admitted between Solicitors for complainants and Defendants
in this cause that John P. Brown intermarried with Fannie K. Bryan
in December 1861 and it is further agreed that said John P. Brown shall
be made a party complainant with his said wife herein.

It is further admitted that it appears from the records in the Clerk's Office
for Queen Anne's County that the assignment of rents and profits made by De-
Coursey & Bryan to William Reed and John D. Skinner copy of which is filed
in the proceedings was delivered after the recording thereof to the late William
Reed.

J. P. Zopher }
J. P. Brown } Solrs. for Compts.
Jno. M. Robinson }
Sol for Defts.

Therefore the following Petition was filed, to wit: -

Bryan & others }
vs } In Circuit Court for Queen Anne's County
Williams & others } in Equity. May Term 1864.

To the Honorable James B. Ricard, Judge of the Circuit Court for Queen
Anne's County in Equity -
The Petition of John P. Brown to your Honor respectfully sets forth that your

Petitioner intermarried with Fannie K. Bryan a complainant in this cause in the month of December eighteen hundred and sixty one as by admission of Solicitors for complainants and Defendants in this cause herunto annexed, accompanied with their agreement that your petitioner be made a party complainant with his said wife - Wherefore your petitioner prays your Honor to pass an order making your petitioner a party complainant with his said wife in this cause, and as in duty &c.

J. B. Brown, Petitioner

And therefore the Court passed the following Order, to wit:-

Ordered this 18th day of May 1864 by the Circuit Court for Queen Anne's County in Equity and by Authority thereof on the aforesaid petition of John B. Brown, and admission and agreement of Solicitors for complainants and Defendants thereunto annexed that said John B. Brown be and he hereby is made a party complainant in this cause with Fannie K. Brown his wife, formerly Fannie K. Bryan

J. B. Ricard

Thereupon further process of and upon the premises aforesaid is further continued by regular continuances from term to term of said Court until the fourth Monday of January in the year Eighteen Hundred and sixty five at which said fourth Monday of January comes into Court here as well the said Sarah E. Bryan next friend of Fannie K. Brown and David Jones and Sarah F. Jones next friends of Samuel G. Delboursey and John B. Brown by their Solicitor aforesaid and the said Fannie K. Brown (formerly Fannie K. Bryan,) Samuel G. Delboursey, Joseph Selby Williams and Edward G. Williams by their Solicitor aforesaid. At which said fourth Monday of January the Honorable John M. Robinson Judge of said Court announced his disqualification to sit in said cause. he having been counsel for the Defendants and thereupon notice in the following form was given to the Judges of the Court of Appeals

In the Circuit Court for Queen Anne's County, sitting in Equity. Sarah E. Bryan, next friend of Fannie Bryan. and David Jones and Sarah F. Jones his wife next friend of Samuel G. Delboursey vs Fannie Bryan, Samuel G. Delboursey, Joseph Selby Williams and Edward G. Williams Bill of Complaint &c. May Term 1865

State of Maryland, Queen Anne's County, to wit:- I hereby certify that it appears from the record and proceedings had in the above case. in the Circuit Court for Queen Anne's County, sitting in Equity, that the Honorable John M. Robinson Judge of said Court announced his disqualification to sit in said cause he having been counsel for Defendants, and that the period of one month has elapsed since the said announcement was made and that the parties to the said cause have failed to agree upon the appointment of a Special Judge to try said case.

In Testimony whereof I hereto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County, this 21st day of July A. D. 1865.

Samuel E. Doylt, Clerk

Attys in the case J. B. Brown & Co. P. Brown

Three circular stamps: 'W.B. Entry Revenue 21 cents', 'W.B. Entry Revenue 21 cents', 'W.B. Entry Revenue 21 cents'.

And afterwards, to wit: on the thirty first day of July in the year Eighteen Hundred and sixty five, the aforesaid Notice was returned thus endorsed to wit:

In pursuance of the act of assembly of 1865. ch. 66 - I hereby appoint Lloyd T. Elghman Esq. to try the within case.

Witness my hand this 26th day of July 1865

Price J. Goldsborough
Associate Judge of the Court of Appeals

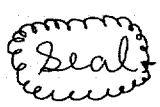
And therefore the following Mortgage was filed, to wit:

Whereas by an order of the Circuit Court for Queen Anne's County in Equity, bearing date the fifteenth day of May Eighteen Hundred and sixty two and passed in a cause wherein Lillie E. Bryan next friend of Fannie H. Bryan and others are complainants and Edward L. Williams and others are Defendants, John M. Robinson and John B. Brown Trustees of said Circuit Court in said cause were ordered and directed, after retaining in hand the sum of three Hundred dollars for the purpose &c as will appear by said order, to invest the balance of the purchase money arising from sales of Real Estate, made by them as said Trustees with the interest accrued thereon amounting as will appear by said order to the sum of four thousand six Hundred and seventy three dollars and sixty six cents, in the hands of Pere Wilmer of Queen Anne's County to be secured by good and sufficient Mortgage of Real Estate to be approved by said Trustees and said Trustees were further directed and authorized to make the necessary Oath as to the bona fides of the consideration for said Mortgage - Said sum of money so as aforesaid to be invested to bear interest from the date of said investment payable annually by said Pere Wilmer to such persons and in such proportions as said Circuit Court may by its future order direct and said sum of four thousand six Hundred and seventy three dollars and sixty six cents and any and every part thereof to be at all times subject to such order or disposition thereof as said Circuit Court may see fit to make and direct, with a proviso in said Mortgage to be inserted that whenever said Pere Wilmer shall fail to pay the annual interest on said sum of four thousand six Hundred and seventy three dollars and sixty six cents as hereinbefore indicated or shall fail after reasonable notice to comply with the orders of said Circuit Court in reference to said principal sum of four thousand six hundred and seventy three dollars and sixty six cents or any part thereof, he, the said Pere Wilmer, shall then be considered in default and the said Trustees John M. Robinson and John B. Brown may proceed to fore close said Mortgage under the directions of said Circuit Court: - Now this Mortgage made this third day of June Eighteen Hundred and sixty two by the said Pere Wilmer of Queen Anne's County, State of Maryland, witnesseth, that the said Pere Wilmer, in consideration of the aforesaid premises and the said sum of four thousand six Hundred and seventy three dollars and sixty six cents in hand paid him by the said John M. Robinson and John B. Brown Trustees as aforesaid of the Circuit Court for Queen Anne's County, (the receipt whereof is hereby acknowledged by the said Pere Wilmer), said sum to bear interest from ^{the} date of this Mortgage to be paid annually by the said Pere Wilmer to such persons and in such proportions as the said Circuit Court may by its future order direct and said sum of four thousand six Hundred and seventy three dollars and sixty six cents and any and every part thereof to be at all times subject to such order or disposition thereof as said Circuit Court may see fit to

order and direct, doth grant unto the said John M. Robinson and John P. Brown Trustees of the said Circuit Court for Queen Anne's County in the aforesaid cause of Bryan et al vs Williams et al on the Equity side of said Court all that Real Estate, situate lying and being in Queen Anne's County, State of Maryland, which was purchased by the said Pere Wilmer of one William Kemble and Margaret Ketham Kemble his wife, formerly Margaret Co. Seth, of the City and State of New York, consisting of all that tract or those tracts, or parts of tracts or parcels of land called and known by the names of "Timber Neck" or "Timber Land" and "Lloyds Park" or by whatsoever other name or names the same may be called, and more particularly described in a deed of conveyance thereof from the said William Kemble and Margaret Ketham Kemble, his wife, to the said Pere Wilmer, bearing date the fifteenth day of May Eighteen Hundred and fifty four and recorded in Liber J. P. No. 2. folios 83, 84, and 85; one of the Land Record Books of Queen Anne's County - Provided that if the said Pere Wilmer shall pay annually from the date of this Mortgage the interest on said sum of four thousand, six hundred and seventy three dollars and sixty six cents in such proportions and to such persons as the said Circuit Court for Queen Anne's County in Equity, by its future order to be passed in the aforesaid cause of Bryan et al vs Williams et al may direct, and shall after reasonable notice comply with the orders of said Circuit Court for Queen Anne's County in Equity as may be passed in the aforesaid cause of Bryan et al vs Williams et al in reference to said principal sum of four thousand six hundred and seventy three dollars and sixty six cents and any and every part thereof then this mortgage shall be void: else shall be considered in full force and effect in law and the said John M. Robinson and John P. Brown Trustees as aforesaid may proceed to foreclose same under the direction of said Circuit Court for Queen Anne's County in Equity and as aforesaid.

Witness my hand and seal

Test:
Jno. H. Rowleson

Pere Wilmer 

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this third day of June 1862, before me, the Subscriber, a Justice of the Peace of the State in and for the County aforesaid personally appeared Pere Wilmer and did acknowledge the aforesaid Mortgage to be his act, and at the same time also personally appeared before me, the said Subscriber, John M. Robinson and John P. Brown, Trustees of the Circuit Court for Queen Anne's County as named therein and the grantees in said Mortgage and made oaths in due form of law that the consideration therein set forth is true and bona fide as therein stated, and further made oath in due form of law that they are the Trustees and agents of said Circuit Court as set forth in said Mortgage and duly authorized by said Court to take said Mortgage and to make the aforesaid affidavits as to the truth and bona fides of the consideration therein set forth.

Sworn before,
Jno. H. Rowleson

Whereupon further process of and upon the premises aforesaid is further continued by regular continuances from term to term of said Court until the fourth Monday of July in the Eighteen Hundred and sixty six at which said fourth Monday of July comes into Court here as well the said Sarah E. Bryan next friend of Annie

H. Brown, (formerly Fannie K. Bryan,) Samuel G. Delboursey and John R. Brown by their Solicitors aforesaid and the said Fannie K. Brown, (formerly Fannie K. Bryan,) Samuel G. Delboursey, Joseph Selby Williams and Edward L. Williams by their Solicitors aforesaid, and afterwards, to wit: on the twenty second day of August in the same year the death of Edward L. Williams is suggested and Medora Williams administratrix of the said Edward L. Williams deceased made party to this suit: And therefore the following agreement was filed, to wit:

It is agreed that the papers in this cause shall be submitted for a decree among the parties thereto without argument, and that the terms of said decree shall be as follows - In the first place all the costs of suit including therein the costs of making sale of the Real Estate decreed to be sold and the costs attending the taking of testimony and such sums as have been heretofore provided for by the orders of this court shall be allowed and paid out of the funds arising from the sale of said Real Estate - on the second place the residue shall be divided into three equal parts, one part thereof to be allotted to Fannie K. Brown subject to the interest therein of Sallie E. Bryan, another part thereof to be allotted to Samuel G. Delboursey subject to the interest therein of Sarah F. Jones, and the remaining third part thereof to be allotted to Medora Williams administratrix of Edward L. Williams deceased - It is furthermore agreed that the court shall pass an order referring the papers in the cause to the Auditor to state an account in pursuance of the terms of this agreement, and directing the bringing into court within a reasonable time for payment to the various parties entitled thereto according to the ascertainment as aforesaid to be made by the Auditor of the funds arising from the sale of said Real Estate and heretofore invested by the order of this court to await the event of this suit.

Witness
 J. Edgar Richardson

Medora Williams
 W. R. Bagnor
 Sol for Medora Williams

John R. Brown
 P. R. Hooper } Solicitors for
 J. R. Brown & Fannie
 K. Brown, his wife
 Saml G. Delboursey,
 Sarah E. Bryan and
 Sarah F. Jones.

Therefore the court passed the following Decree, to wit:

Bryan & others
 vs
 Bryan & others } In the Circuit Court for Queen Anne's County
 in Equity.

This cause standing ready for hearing and being submitted without argument, the proceedings were read and considered - It is therefore in pursuance of the consent and agreement of the parties to the cause and their Solicitors ordered and adjudged this 24th day of August 1866, that all the costs of the suit including therein the costs of making sale of the Real Estate decreed to be and reported sold and the costs attending the taking of testimony and such sums as have been heretofore provided for by the orders of this court shall be allowed and paid out of the funds arising from the sale of said Real Estate - that then the residue of said funds shall be divided into three equal parts, one part thereof to be allotted to Fannie K. Brown wife of John R. Brown subject to the interest

therein of Gollie E. Bryan to be ascertained in the usual manner by the Auditor of this court, another part thereof to be allotted to Samuel G. Delboursey subject to the interest therein of Sarah F. Jones to be ascertained as aforesaid by the Auditor of this court and the remaining third part thereof to be allotted to Medora Williams administratrix of Edward L. Williams deceased - It is furthermore ordered that the papers in the cause be referred to the Auditor to state an account in pursuance of the terms of this agreement: and it is furthermore ordered that the money heretofore invested by the Trustees in this cause under the order of this court be brought into court for payment to the parties entitled under the aforesaid agreement to be made as aforesaid by the Auditor on or before the 20th day of November next and that the Trustees in this cause, cause a notice to this effect to be served on the parties or their representatives in whose hands said investment was made.

Lloyd Tilghman
Special Judge

Therefore the following assignment was filed to wit:

For natural love and affection I hereby assign and set over to the use of Fannie K. Brown all my right, title, interest and estate as the widow of John L. Bryan in the funds arising from the sale of the "Williams Farm" sold in Queen Anne's County, Maryland, by John B. Brown and John M. Robinson Trustees in a cause in the Circuit Court for Queen Anne's County in Equity entitled Bryan vs Bryan, Delboursey and Williams signed and Witnessed this 5th day of October 1866.

Witness
Araminta E. Tilghman

Gollie E. Bryan

Ingleside, Kent, Co. E. Shore, Maryland.

For natural love and affection we hereby assign and set over to the use of Samuel G. Delboursey, all the right, title, interest and estate of the undersigned Sarah F. Jones, as the widow of Thomas H. Delboursey, in the funds arising from the sale of the Williams Farm, sold in Queen Anne's Co. Maryland, by J. B. Brown and J. M. Robinson Trustees in a cause in the Circuit Court for said County entitled Bryan vs Bryan, Delboursey & Williams. Signed and Witnessed this seventeenth day of September, A. D. Eighteen Hundred and sixty six (1866).

Witnesses
Wm. J. Bordley
Wm. Stevens

David Jones
Sarah F. Jones

And afterwards, to wit: - on the 23rd day of October in the year Eighteen Hundred and sixty six, Philemon B. Hoopes Esq. the Auditor of this court files his report in the form and words following, to wit:

Bryan & others

vs

Bryan & others

In the Circuit Court for Queen Anne's County.

To the Hon. J. M. Robinson Judge.

The Auditor respectfully reports that he has examined the proceedings in this cause and has therefrom prepared the following account, between the real estate mentioned and J. M. Robinson & J. B. Brown Esquires, Trustees for the sale thereof according to the directions of the court in the Order referring the papers to the Auditor, He has allowed to the Trustees their commissions and expenses and the complainants and defendants each their costs of suit and to the Auditor his fee, The balance he has divided into three

parts and assigned them to the parties named in the account according to the terms of the said order, excepting that he did not ascertain the dues interests of Mrs Sallie E. Bryan and Mrs Sarah F. Jones, which was not done for the reason that there is an assignment filed from Mrs Sallie E. Bryan for her interest to Mrs Fannie K. Brown and an assignment from Mrs Sarah F. Jones & husband of her interest to Samuel J. Delbousey. According to a statement accompanying each assignment Mrs Bryan was entitled as of the day of sale for her Dues interest to \$189.20 and Mrs Jones as of the same date to \$201.82, but these sums were not set apart for the reason already stated.

All of which is submitted

J. B. Hopper, Auditor
Oct 22nd 1866.

The Real Estate of Fannie K. Brown now Fannie K. Brown & others in acct with J. M. Robinson & J. B. Brown Trustees &c.

1862	To The Trustees for lemond. or \$4973.66	179	20
June 3	To The Trustees for Expenses as per bill of same filed	58	00
	To the complainants for their costs of suit } as per bill of same taxed by clerk & filed }	166	01
	To the Defendants for their costs of suit as per } bill of same made by clerk & filed }	25	04
	To the Auditor for his fee	4	50
		<u>432</u>	<u>75</u>
	To Fannie K. Brown wife of } John B. Brown }	1513	63 ² / ₃
	To Samuel J. Delbousey	1513	63 ¹ / ₃
	To Medora Williams admrx of } Edward C. Williams deceased }	1513	63 ¹ / ₃
		<u>\$4973</u>	<u>66</u>

		Dols	cts
1860	By		
July 31	Pay Amount of cash payment received by Trustees	300	00
1862	Pay this amount being the deferred payments and interest } thereon to 15 May 1862, (less the sum of \$162.95 allowed by order } of court to be retained by J. W. Stewart for taxes in arrears } paid by him) and which sum was loaned to P. Wilmer on } Mortgage by order of court, drawing interest June 3 rd June } 1862.	4673	66
		<u>\$4973</u>	<u>66</u>

J. B. Hopper, Auditor
October 22nd 1866.

Therefore further process of and upon the premises aforesaid is further continued until the first Monday of November next at which said first Monday of November in the year Eighteen Hundred and sixty six, comes into court here as well the said Sallie E. Poyau next friend of Fannie K. Poyau and Sarah F. Jones next friend of Saml. G. DeCoursey, and the said Fannie K. Poyau, Samuel G. DeCoursey, Joseph Selby Williams and Edward C. Williams by their Solicitors aforesaid. Whereupon the court passed the following order, to wit:

Ordered on this 28th day of November 1866 that the within and aforesaid report of the Auditor be and the same is hereby finally ratified and confirmed, no cause to the contrary appearing; and the Trustees will pay over accordingly as soon as they shall be in receipt of said funds, with a due proportion of interest on each distribution shown to complainants and Defendants as allowed in this audit, after first paying thereout such state and county taxes as may have been or may now be charged on said funds -

Lloyd Tilghman
Special Judge.

Robert L. Knight

vs.

Mary Knight, Melinton Knight
Henrietta Knight, William
Knight, Thomas Knight,
Washington Finley, Richard
W. Knight, James J. Earle
admr of Melinton Knight
Wolman S. Gibson admr.
of Enoch Gerge and Enoch
Gerge, George M. Russum
Octavia O. Russum his wife.

Be it remembered that on the fifth day of March
in the year Eighteen Hundred and sixty four
Robert L. Knight by Madison Brown and Jno.
B. Brown Esquires his Solicitors filed in court
here his Bill of Complaint against the said Mary
Knight, Melinton Knight, Henrietta Knight, Will-
iam Knight, Thomas Knight, Washington Finley,
Richard W. Knight, James J. Earle Admr. of
Melinton Knight, Wolman S. Gibson admr.
of Enoch Gerge and Enoch Gerge, George M.
Russum, Octavia O. Russum, his wife.

In the words following, to wit: -
To the Honorable Judge of the Circuit Court
for Queen Anne's County, In Equity.

The Bill of Complaint of Robert L. Knight

of Baltimore City to this Honorable Court respectfully shows that heretofore,
to wit: on the second day of November in the year Eighteen Hundred and forty
seven a certain Melinton Knight of Queen Anne's County, State of Maryland,
being indebted unto your Orator in the sum of Eight Hundred Dollars and in-
terest thereon from date aforesaid and intending to secure the payment thereof to
your Orator did by his deed of said date in conjunction with his then wife Anna
Maria Knight convey to your Orator and his heirs certain Real Estate situate
and lying in County aforesaid and particularly described in said deed, which
is herewith filed with this Bill as part thereof, marked Exhibit "A", to which said
Deed there is a condition annexed that it be void on payment by said Melinton Knight,
his heirs, executors and administrators of said sum of money and interest thereon
as aforesaid on or before the second day of November Eighteen Hundred and forty ei-
ght - Your Orator further charges that at the date of the aforesaid Deed said
Melinton Knight was seized in fee of the land mentioned therein, but that after the
death of the said Anna Maria he conveyed a part thereof to Robert Knight, Mary
Knight, Melinton Knight and Sallie Knight, his children of the said Anna
Maria and another part thereof to Henrietta Knight a child by a subsequent
wife also named Henrietta as will appear by copies of said Deeds marked respec-
tively Exhibits P, & Q. herewith filed as part of this Bill, But your Orator charges
that said conveyances are subject to the Mortgage Debt due as aforesaid to your Orator
and to all other liens existing prior thereto - Your Orator charges that said Melin-
ton Knight departed this life intestate on or about the _____ day of _____
in the year Eighteen Hundred and sixty two without having paid any part of the
aforesaid sum of money or interest thereon and that administration on all and
singular his personal estate has been granted to James J. Earle of Queen Anne's
County aforesaid as per copy of said Letters herewith filed as part of this Bill mar-
ked Exhibit R. will appear, and that said personal estate is wholly inadequate
to pay even the special liens thereon and judgment creditors of said Melinton K-
night, and that your Orator can recover no part of his said claim out of said
personal estate - Your Orator further charges that said Melinton Knight was not
seized at the time of his death of any Real Estate whatever and there is therefore no
other source to which he can look for payment of his claim except the Real Estate
pledged therefor as aforesaid - that at time of his death he said Melinton Knight
left the following children and heirs at Law, Robert, Mary, Melinton, Henrietta,
and William and Thomas Knight, the two last named being children of Sallie
Knight a third wife and select and widow of said Melinton Knight deceased

that Sallie Wright and Robert Wright, grantees named in Exhibit "B" have departed this life, the former intestate and in the lifetime of her father, the said belinton, the latter intestate as to Real Estate and since the death of his said father - whereby their interest in the lands mentioned in said Exhibit "B" have descended to the said Mary and belinton their brother and sister of the whole blood; and that said Mary, belinton, Henrietta, William and Thomas, surviving children and heirs at Law of said belinton Wright decd. are all Infants under twenty one years of age and all reside in Queen Anne's County aforesaid - Your Orator charges further that if the two last mentioned Deeds, copies whereof are marked Exhibits B, & C respectively are valid in law there were no valid liens existing on said lands at date of said conveyances except the one above mentioned to your Orator, and a Mortgage to indemnify Washington Finley and Enoch George sureties of said belinton Wright as Guardian for his children which said Mortgage is herewith filed, marked Exhibit D, and a subsequent Mortgage of the same character bearing date the eighteenth day of January in the year eighteen hundred and fifty nine and then delivered to said Washington Finley and one Richard A. Wright, the latter having been substituted in the place of Enoch George on a new Guardian Bond by the Orphans Court for Queen Anne's County, said Enoch George having died; a copy of which Mortgage marked Exhibit E, is herewith filed as part of this Bill, and a judgment rendered in the Circuit Court for Queen Anne's County in favor of Madison Brown surviving Administrator of Walter S. Clayton use of Washington Finley against belinton Wright, Julia Clayton and Sallie Clayton on which there was due when entered to use of said Washington Finley the sum of five hundred and fifty three dollars and four cents and interest from twenty sixth day of October in the year eighteen hundred and fifty eight and \$6.58 judgment costs & \$42.06 execution costs & poundage fees & commissions a copy whereof is herewith filed marked Exhibit F. That your Orator does not know how much of any loss will be sustained by the said Washington Finley and Richard A. Wright sureties as aforesaid for said belinton Wright on his Guardian Bond, nor does he know what part of the sum due to said Washington Finley on the judgment aforesaid will be paid out of the personal estate of said belinton Wright, or what loss, if any will be sustained by the heirs or personal representatives of said Enoch George decd. by reason of his said securityship, that said Enoch George died, on or about the year eighteen hundred and fifty eight, possessed of Real and personal Estate, and leaving Enoch George and Octavia O. George his children and heirs at Law, said Enoch being an Infant under twenty one years of age and said Octavia having since intermarried with one George M. Russum, all of whom reside in Caroline County, State aforesaid, and that letters of administration upon all and singular his personal estate have been granted to Wolman S. Gibson of Queen Anne's County as per copy thereof marked Exhibit G. But your Orator charges that he is first entitled to be paid the amount of his Mortgage debt and interest before those having subsequent liens can claim payment out of the sales of the aforesaid Real Estate should it be insufficient to pay them all and that he is entitled to have the same sold to obtain such payment - To the end therefore that the said Mary, belinton, Henrietta, William and Thomas children and heirs at Law to said belinton Wright decd., and the said belinton Mary and Henrietta who are entitled either as persons to whom the Deeds B, & C, were made are as heirs to them, all of whom are Infants under twenty one years of age and the said James J. Earle Administrator of belinton Wright

and the said Washington Finley and Richard A. Wright and the said Enoch George and George M. Russum and Octavia O. Russum his wife formerly Octavia O. George, children and heirs at Law of Enoch George of Queen Anne's County deceased as aforesaid and Woolman S. Gibson Administrator of said Enoch George deceased may answer the several matters and things hereinbefore alleged and that the Real Estate aforesaid, may be sold for the payment of your Orators claim with interest thereon and the claims of all who may be entitled and who will come in and contribute to the expenses of this suit and that your Orator may have such other and further relief as his case may require - May it please your Honor to grant unto your Orator the State of Marylands writ of Subpoena against the said Mary Wright, Helinton Wright, Henrietta Wright, William Wright, Thomas Wright, Washington Finley, Richard A. Wright, James F. Earle Administrator of Helinton Wright deceased and Woolman S. Gibson Administrator of Enoch George deceased, all of Queen Anne's County aforesaid, and against the said Enoch George and George M. Russum and Octavia O. Russum his wife formerly Octavia O. George, said Enoch being an infant under twenty one years of age, all of whom reside in Caroline County, State aforesaid commanding them to be and appear in this Court on some certain day to be therein named to answer the premises and abide by and perform such decree as may be passed therein and as in duty bound &c

Madison Brown & J. Po. Brown
Solicitors for Complainants

The Exhibit "A" referred to in the foregoing Bill of Complaint is in the words following, to wit:

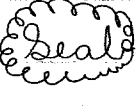
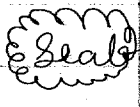
State of Maryland
Stamps
50 cents

This Indenture made this second day of November in the year eighteen hundred and forty seven between Helinton Wright and Anna Maria Wright his wife of Queen Anne's County in the State of Maryland of the one part and Robert L. Wright of the City of Baltimore of the other part: Whereas the said Helinton Wright stands justly indebted unto the said Robert L. Wright, his executors administrators and assigns, in the sum of eight hundred dollars with legal interest thereon from the date hereof and to secure the payments of the same, the parties hereto of the first part are willing to execute these presents. Now this Indenture witnesseth that the said Helinton Wright and Anna Maria Wright his wife in consideration of the said debt or sum of eight hundred dollars owing to the said Robert L. Wright as aforesaid and also for and in consideration of the sum of five dollars current money to them in hand paid by the said Robert L. Wright, at or before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold, released and confirmed and by these presents do grant bargain, sell, release and confirm unto the said Robert L. Wright and to his heirs and assigns all that part of a tract or parcel of land called "Mary's Portion" situate lying and being in Queen Anne's County aforesaid and contained within the following metes and bounds, courses and distances to wit: - Beginning at a white Oak stump the beginning place of "Mary's Portion" and running from thence South fifty four degrees West one hundred and sixty perches, then South twenty nine degrees East thirty five perches and seven tenths of a perch, then South eight degrees West ninety six perches, then North eighty eight degrees East seventy six perches,

then North thirty one degree West thirty four perches, then North eighty eight degree East one hundred and ninety six perches, then North eighty seven perches, then North three degree West thirty perches then North twenty six degree West thirty two perches, then North thirteen degree West fourteen perches, and then with a straight line to the place of beginning containing two hundred and forty three acres and two rods of land more or less, together with all and singular the buildings, improvements, ^{woods} ways, waters, watercourses, rights, liberties, privileges, hereditaments and appurtenances whatsoever therunto belonging, or in any wise appertaining and the reversions and remainders, rents, issues and profits thereof and all the estate ^{right} title and interest whatsoever of them the said Clinton Wright and Anna Maria Wright his wife, both at Law and in Equity, of in to and out of the said tract or part of a tract or parcel of land and premises hereby bargained and sold or meant mentioned or intended hereby so to be and every or any part and parcel thereof, To and to hold the said tract or part of a tract of land and every part and parcel thereof with the appurtenances therunto belonging, unto the said Robert L. Wright his heirs and assigns, to the only proper use and behoof of the said Robert L. Wright his heirs and assigns forever and to and for no other use intent or purpose whatsoever: Provided Always, and it is the true intent and meaning of these presents, and of the said parties herunto that if the said Clinton Wright his heirs, executors or administrators do and shall well and truly pay or cause to be paid unto the said Robert L. Wright his executors administrators or assigns the full sum of eight hundred dollars current money with legal interest for the same on or before the second day of November eighteen hundred and forty eight without any deduction or abatement whatsoever, then and from thence forth these presents and every matter and thing herein contained shall cease and be utterly null and void any thing herein contained to the contrary thereof in any wise notwithstanding. And the said Clinton Wright for himself his heirs executors and administrators, doth event grant promise and agree to and with the said Robert L. Wright his executors administrators and assigns in manner and form following that is to say, that he the said Clinton Wright his heirs, executors or administrators or some of them shall and will ^{well} and truly pay or cause to be paid unto the said Robert L. Wright his executors administrators or assigns the said sum of eight hundred dollars with legal interest as aforesaid, on the day herein before limited for the payment thereof ^{with} out any deduction or abatement whatsoever as aforesaid.

In Witness whereof the said Clinton Wright and Anna Maria Wright his wife have herunto set their respective hands and seals on the day and in the year first herein before written.

Signed, sealed and delivered
 in the presence of
 E. J. Bailey
 Wm. Price

Clinton Wright 
 Anna M. Wright 

State of Maryland, Queen Anne's County to wit:
 Be it remembered and it is hereby certified that on this second day of November in the year eighteen hundred and forty seven before the subscribers two of the justices of the peace of the state of Maryland in and for Queen Anne's County aforesaid personally appeared Clinton Wright and Anna Maria Wright his wife and severally acknowledged the within and foregoing indenture or instrument of writing to be their respective act and deed; And the said Anna Maria Wright wife of the said Clinton Wright did sign and seal the said deed or instrument of

writing, before us out of the presence and hearing of her said husband and the said Anna Maria Wright wife of the said Melinton Wright, being by us examined out of the presence and hearing of her said husband whether she doth execute and acknowledge the said deed or instrument of writing freely and voluntarily and without being induced to do so. by fear or threats of or ill usage of her husband or by fear of his displeasure, declareth and saith that she doth. And we further certify that the said Melinton Wright and Anna Maria Wright his wife are personally known to us to be the identical persons who are named and described as and professing to be the parties grantors in the foregoing deed or instrument of writing. In testimony whereof we hereunto subscribe our respective names on the day and in the year aforesaid.

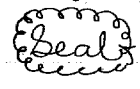
J. P. Bailey
Wm. Price

The Exhibit "B" referred to in the Bill of Complaint is in the words following, to wit:

Queen Anne's County, to wit: Be it remembered that on the twenty six day January Eighteen hundred and fifty nine, the following deed was brought to be recorded to wit: This Deed made this twenty fifth day of January in the year Eighteen Hundred and fifty nine by Melinton Wright of Queen Anne's County Maryland witnesseth that said Melinton Wright for and in consideration of the sum of one thousand five hundred and four dollars and sixty four and three sevenths cents doth grant unto Robert Wright, Mary Wright, Melinton Wright, and Sallie Wright his children of the body of his first wife begotten, in fee simple, all that part or parcel of a tract or part of a tract of land called "Marys Portion" on which said Melinton Wright now resides described as being contained within the metes and bounds, courses and distances following to wit. Beginning at a stone in the Public road from Church Hill to Rutherburgh and running thence North two degrees West fifty six Perches, thence North two degrees East six perches, thence North twenty eight degrees East twenty two perches, thence North five degrees West thirty six perches, thence North twenty five degrees West thirty perches, thence North fourteen degrees West seventeen Perches, thence North seventy seven degrees West one hundred and seven perches and a half perch, thence North forty degrees West nineteen perches, and two tenths of a perch, thence South fifty seven degrees thirty nine minutes West sixty perches, thence South fifty one degrees thirty minutes East one hundred and twenty seven perches thence South thirty eight degrees thirty minutes West eighteen perches and six tenths of a perch, and thence South fifty one degrees thirty minutes East one hundred and Eighteen Perches and eight tenths of a perch to the Beginning containing one hundred and four acres, three rods and twenty two perches of land and also a piece of timber land described in a deed of even date with these presents as an exception to that portion of the tract or part of tract of land "called Marys Portion" therein described and conveyed to one Henrietta Wright, the said grantors aforesaid mentioned to have and to hold the same as tenants in common in fee simple share and share alike and it is hereby intended and expressly understood that the undivided estate in fee simple in and to said land above described hereby conveyed to the aforesaid grantors Robert Wright, Mary Wright, Melinton Wright, and Sallie Wright, shall become divided as to the undivided share or shares of any or all of them, when they or any of them shall arrive at age. if he she or they shall refuse upon demand being made to execute a release to the said Melinton Wright grantor as aforesaid of all his her or their claims or demands

against said Melinton Wright as Guardian to him, her or them, that is this divestment shall operate only as to the share or shares in said undivided estate hereby conveyed if that one or those of the aforesaid grantors, Robert Wright, Mary Wright, Melinton Wright, and Lillie Wright as shall refuse to execute a release as above described. As witness my hand and seal this twenty fifth day of January Eighteen hundred and fifty nine.

Test: John P. Brunson }
James W. Thompson }

Melinton Wright 

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this 25th day of January in the year 1859, personally appeared before the subscriber a Justice of the Peace of the State in and for the County aforesaid, Melinton Wright, the within named grantor and acknowledged the foregoing deed to be his act

Robt. L. Baynard, J.P.

State of Maryland, Queen Anne's County, to wit:

I hereby certify the foregoing is truly taken and copied from Liber M. P. No. 1. folios 93 and 94 one of the said Records of Queen Anne's County.

In Testimony whereof, I hereto subscribe my name and the Seal of the Circuit Court for Queen Anne's County affix, this 3^d day of March 1864.

Circuit Court
Queen Anne's County
Seal
D. E. D.
March 3rd 1864
- 05 -
cents

Samuel E. Dyott, Clerk

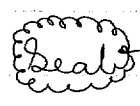
The Exhibit "b." referred to in the Bill of Complaint is in the words following to wit:

Queen Anne's County to wit: Be it remembered that on the twenty six day January Eighteen Hundred and fifty nine the following deed was brought to be recorded to wit: - This Deed, made this twenty fifth day of January in the year Eighteen Hundred and fifty nine by Melinton Wright of Queen Anne's County, Maryland, Witnesseth that the said Melinton Wright for and in consideration of the sum of one thousand five hundred and four dollars and sixty four and three sevenths cents doth grant unto Henrietta Wright his child of the Body of his second wife begotten, in fee simple all that part of a parcel or part of a tract or tract of land called "Mary's Portion" on which said Melinton Wright now resides contained within the following metes and bounds courses and distances to wit: Beginning at a stone on the public road from Church Hill to Ruthsburg and running thence South two degrees East thirty two Perches, thence North sixty degrees West one hundred and thirty four Perches and a half Perch thence South forty five degrees thirty minutes West sixty three Perches, thence North thirty Eight degrees thirty minutes West twelve Perches, thence North forty one degrees West twenty four perches, and thence North forty seven degrees west twenty two perches thence North fifty three degrees West eight perches, thence north fifty seven degrees west sixteen perches thence South twelve degrees west eight Perches, thence South fifty eight degrees west sixteen perches, thence South seventy two degrees thirty minutes West thirty four perches, thence North three degrees East eighty eight perches, thence North fifty seven degrees thirty minutes East sixty three perches, thence North forty five degrees West nine perches, thence North fifty seven degrees thirty minutes East thirty eight perches, thence South fifty one degrees thirty thirty min-

ntes East one hundred and twenty seven perches, thence South thirty eight degrees
 thirty minutes West eighteen perches and six tenths of a perch, and thence South fifty
 one degree thirty minutes East one hundred and eighteen perches and eight tenths
 of a perch to the beginning, containing one hundred and forty acres, one rood
 and thirty three perches of land with the exception of that portion of said land the same
 being timber land embraced within the following description to wit: Beginning
 at the end of ten perches on the North fifty seven degrees West sixteen perches line
 above mentioned and running thence North fifty seven degrees, West six perches
 to the end thereof, thence South twelve degrees west eight Perches, thence South
 fifty eight degrees west sixteen perches, thence South seventy two degrees thirty
 minutes west thirty four perches, thence North three degrees East eighty eight
 perches, thence North fifty seven degrees thirty minutes East ^{with} three perches, thence
 North forty five degrees west nine perches, thence North fifty seven degrees thirty
 minutes East thirty eight perches, thence South forty degrees, West eighty four
 perches, and thence with a straight line to the last place of Beginning contain-
 ing twenty four acres and twelve perches of land, and it is hereby express-
 ly understood and intended that the estate in fee simple in and to the prem-
 ises above described and hereby conveyed shall become divested in case, the gra-
 ntee Henrietta Wright when she shall arrive at age, shall upon demand being
 made: refuse to execute a release to the said grantor Melinton Wright of all claim
 or demands whatsoever upon him as guardian to the said Henrietta Wright,
 As Witness my hand and seal of the day and year aforesaid.

Test:

J. B. Brown }
 Jas. W. Thompson }

Melinton Wright 

State of Maryland, Queen Anne's County to wit:

I hereby certify that on this 25th day of January in the year 1859
 personally appeared before the subscriber a Justice of the Peace of the State in and
 for the County aforesaid, Melinton Wright the within named grantor and ack-
 nnowledged the foregoing deed to be his act.

Robt. B. Raymond J.P.

State of Maryland, Queen Anne's County, to wit:

I hereby certify, that the foregoing is truly taken and copied from
 Liber W. B. No. 1. folios 92 and 93, one of the Land Records of Queen Anne's County.
 In Testimony whereof, I hereto subscribe my name and the
 Seal of the Circuit Court for Queen Anne's County
 affixed this 3^d day of March 1864.


Samuel E. Dyott, Clerk

The Exhibit "D", referred to in the Bill of Complaint is in the words following
 to wit:

This Mortgage, made this twenty seventh day of December Eighteen hun-
 dred and fifty six by Melinton Wright of Queen Anne's County, Maryland, Wit-
 nesses that whereas Enoch Genge and Washington Finley have become sur-
 eties for the said Melinton Wright on his bonds as guardian to his children
 Robert Wright, Mary Wright, Melinton Wright, Lallie Wright and Henri-
 etta Wright which said Bonds are filed in the Office of the Register of Wills
 of Queen Anne's County and for the purpose of securing the said Enoch

George and Washington Finley and each of them and their respective heirs, Executors and administrators against any loss or damage by reason of said suretyship the said Melinton Wright is willing to execute these presents. Now in consideration of the premises aforesaid, the said Melinton Wright doth grant unto the said Enoch George and Washington Finley, All that Farm or plantation situate in Queen Annes County on which the said Melinton Wright resides lying on the west side of the Public road leading from Belgans Cross Roads to Church Hill and adjoining the lands of John B. Brown Francis Waters and the heirs of Berry Goodwin and others. provided that if the said Melinton Wright his heirs, Executors or administrators do and shall well and truly pay to the said Robert Wright, Mary Wright, Melinton Wright, Sallie Wright and Henrietta Wright the several sums of money and property to which they shall be respectively entitled when payment and delivery may legally be made and shall save the said Enoch George and Washington Finley and each of them and their respective heirs, Executors and administrators harmless against any loss or damage by reason of said suretyship, then this Mortgage shall be void, and provided also that until the said Enoch George and Washington Finley or either of them or the heirs, Executors or administrators of either of them shall suffer loss or damage by reason of their said suretyship the said Melinton Wright shall possess the aforesaid premises. As Witness my hand and Seal the day and year aforesaid.

Witnesses
 James Woodall
 Jno. H. Clayton

Melinton Wright 

State of Maryland, Queen Annes County, to wit:

I hereby certify that on this twenty seventh day of December 1856. before the subscribers one of the Justices of the peace of the State and for the County aforesaid personally appeared Melinton Wright and acknowledged the foregoing deed of Mortgage to be his act.

As Witness my hand the day and year aforesaid.
 Jas. Woodall, J.P.

The Exhibit "E." referred to in the Bill of Complaint is in the words following, to wit:

Queen Annes County, to wit. Be it remembered that on the twenty fifth day of January in the year 1859 the following deed of Mortgage was brought to be recorded, to wit:

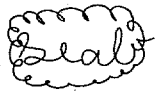
This Mortgage made this eighteenth day of January in the year eighteen hundred and fifty eight. by Melinton Wright of Queen Annes County Maryland. Witnesseth that whereas, Washington Finley and Richard W. Wright are about to become sureties for the said Melinton Wright on his bonds as Guardian to his children Robert Wright, Mary Wright, Melinton Wright, Sallie Wright, and Henrietta Wright which said bonds are to be filed in the Office of the Register of Wills of Queen Annes County, and for the purpose of securing the said Washington Finley and Richard W. Wright and each of them and their respective heirs Executors and administrators against any loss or damage by reason of said suretyship the said Melinton Wright is willing to execute these presents, Now in consideration of the premises aforesaid the said Melinton Wright doth grant unto the said Washington Finley and Richard W. Wright all that farm or plantation situate in Queen Annes County on which the said Melinton Wright resides lying on the west side of the Public

road leading from Colgans brook Roads to Church Hill and adjoining the ^{lands} of John H. Drons, Francis Waters, and the heirs of Henry Godwin and others: Provided that if the said Clinton Wright, his heirs, executors or administrators do and shall well and truly pay to the said Robert Wright Mary Wright, Clinton Wright, Sallie Wright and Henrietta Wright the several sums of money and property to which they shall be severally entitled when payment and delivery may legally be made and shall save the said Washington Finley and Richard A. Wright and each of them and their respective heirs, executors and administrators harmless against any loss or damage by reason of said suretyship then this Mortgage shall be void, and provided also that until the said Washington Finley and Richard A. Wright or either of them, or the heirs executors and administrators of either of them shall suffer loss or damage by reason of their suretyship, the said Clinton Wright shall possess the aforesaid premises and it is here to be understood that this Mortgage is not to operate as a release or to weaken the force and effect of a Mortgage formerly given to the said Washington Finley as a surety and my bonds as Guardian, formerly executed by me and recorded among the land Records of Queen Anne's County.

At Witness my hand and seal the day of the month and year of aforesaid.

Test:

John R. Emory
C. H. Gilghman

Clinton Wright 

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this 18th day of 1859 in the year 1859 personally appeared before the subscriber a justice of the peace of the State in and for the County aforesaid Clinton Wright, Mortgagor named in the foregoing Mortgage and acknowledged said Mortgage to be his act. And at the same personally appeared Richard A. Wright, one of the Mortgagees therein named and made oath in due form of law that the consideration therein stated is true and bona fide as set forth

Robt. C. Paynard J. P.

State of Maryland, Baltimore City, to wit:

I hereby certify that on this 22nd day of January in the year 1859 personally appeared before the subscriber Justice of the peace of the State in and for the City aforesaid Washington Finley one of the Mortgagees named in the foregoing Mortgage and made oath on the Holy Evangelists of Almighty God that the consideration stated therein is true and bona fide as set forth

W. W. Mearis. J. P.

State of Maryland, Baltimore City, to wit:

I hereby certify that Malcolm W. Mearis Esquire, before whom the annexed affidavit was made and who has thereto subscribed his name was at the time of so doing a Justice of the peace of the State of Maryland, in and for the City of Baltimore, duly commissioned and sworn.

In Testimony whereof, I hereto set my hand and affix the seal of the Superior Court of Baltimore City this 22^d day Jan'y A.D. 1859.

Seal
of the
Superior
Court of
Baltimore
City

Geo. C. Sangston
Clerk of the Superior Court Baltimore City.

State of Maryland, Queen Anne's County, to wit:

I hereby certify that the foregoing is truly taken and copied from

Book No. 1. folios 90 and 91. one of the Land Records of Queen Anne's County. In Testimony whereof, I hereto subscribe my name and the Seal of the Circuit Court for Queen Anne's County affix, this 3rd day of March 1864.

Seal
Circuit Court
for
Queen Anne's
County
W.S.
Entry Revenue
S. E. D.
Mar. 3 1864
-05-
cents

Saml. E. Dyott, Clerk

The Exhibit "F", referred to in the Bill of Complaint is in the words following, to wit:-

Circuit Court for Queen Anne's County,
Madison Porchum Surg.
adm^r of Walter J. Layton use
of Washington Finley per Order of Court.
1858
Clinton Wright, Julia Layton and
Lillie Layton

May Term 1858.
Summons in an action &c.
Judgment confessed the 3rd day of
May 1858 for \$1400.00 with interest
thereon from the first day of January
1857 and \$6.58 1/2 costs of suit.
Stay six months
Fifa to Lie to May Term 1859.
Fifa to Lie to November Term 1859.
Fifa to May Term 1860. endorsed.

Credit this writ by \$1000.00 cash paid on the 26th day of October 1858.
Fifa returned, "Goods and chattels taken as per Schedule & Satisfied Plaintiff".

Motion by J. M. Robinson Esq. Atty, to enter judgment and this execution to the use of Washington Finley & affidavit of W. Finley filed Nov 3. 1862.
Motion in writing, Sheriff's receipt and affidavit of John M. Robinson filed Jan'y 27. 1863. Argument, Judgment of the Court. Motion ruled good Jan'y 27. 1863.

State of Maryland, Queen Anne's County, to wit:- I hereby certify, that the above is a true short copy of the original judgment rendered in the Circuit Court for Queen Anne's County, with the subsequent proceedings thereon, and that there is no entry or proceeding in the said Court to show that the said judgment or any part thereof hath been paid or satisfied, except the credit above given.

In Testimony whereof, I hereto subscribe my name and the Seal of the Circuit Court for Queen Anne's County affix, this 4th day of March 1864.

Seal
Circuit Court
for
Queen Anne's
County
W.S.
Entry Revenue
S. E. D.
March 4. 1864
-05-
cents

Samuel E. Dyott, Clerk

The Exhibit "G", referred to in the Bill of Complaint is in the words following to wit:-

Queen Anne's County, to wit:-
I do hereby certify to all persons, whom it doth or may concern, that Woolman S. Gibson obtained Letters of administration on the estate of Lenoche George late of Queen Anne's County, deceased, on the 23rd of March 1858.

Seal
Alphons
Circuit Court
for
Queen Anne's
County
W.S.
Entry Revenue
Mar. 4 1864
-05-
cents

In Testimony whereof, I have hereto set my name, and affixed the Seal of my Office, this, 4th of March Anno Domini 1864.

St. W. Johnson, Reg. Wills
for Queen Anne's co.

The Exhibit '36.' referred to in the Bill of Complaint is in the words following,
to wit:

Queen Anne's County, to wit:-

I do hereby certify to all persons whom it doth, or may concern, that James J. Earle, obtained letters of administration on the estate of Melinton Wright, late of Queen Anne's County, deceased, on the 1st day of April, Anno Domini, 1862.

In Testimony whereof I have hereunto set my hand, and affixed the seal, of my Office this 4th day of March Anno Domini, 1864
St. W. Johnson, Reg. Wills
for Queen Anne's County.

Whereupon Subpoenas was issued in the words following, to wit:

Queen Anne's County, to wit: The State of Maryland, to Mary Wright, Melinton Wright, Henrietta Wright, William Wright, Thomas Wright, Washington Finley, Richard A. Wright, James J. Earle administrators of Melinton Wright and Woodman S. Gibson administrators of Enoch George, deceased, of Queen Anne's County, greeting: You are hereby commanded, that all excuses set apart, you personally appear before the leicuit leunt for Queen Anne's County, sitting as a leunt of Equity, at Leentreville in said County, on the first Monday of May next, to answer unto the Complaint of Robert C. Wright against them and others in the said leunt exhibited.

Hereof fail not, as you will answer the contrary at your peril.
Witness the Honorable Richard B. Carmichael, Judge of our said leunt, the fifth day of March eighteen hundred and sixty four.

Samuel E. Dyott, clerk,

Maryland, &c: The State of Maryland to Enoch George George and George M. Rufum and Octavia O. Rufum his wife, of Caroline County, greeting: You are hereby commanded, that all excuses set apart, you personally appear before the leicuit leunt for Queen Anne's County, sitting as a leunt of Equity, at Leentreville in said County, on the first Monday of May next, to answer unto the Complaint of Robert C. Wright against you and others in the said leunt exhibited.

Hereof fail not, as you will answer the contrary at your peril.
Witness the Honorable Richard B. Carmichael Judge of the said leunt, the fifth day of March in the year eighteen hundred and sixty three.

Samuel E. Dyott, clerk

And afterwards, to wit, on the 2nd day of May 1864. William J. Ford Esq. Sheriff of Queen Anne's County to whom the first aforesaid Subpoena was directed makes return of same thus endorsed, to wit:-

Summoned Wm. J. Ford, Sheriff
And on the same day and year Wm. M. Mc Mahan Esq. Sheriff of Caroline County makes return of the second aforesaid Subpoena thus endorsed to wit:
All Summoned Wm. M. Mc Mahan Sheriff

And therefore Melinton Wright, William Wright, Hennie Wright and Thomas Wright appear in court and being infants the court appoints Philip B. Feddeman Esq. Guardian to answer and defend for them and therefore commission was issued in the following form, to wit:

Seal
Encypt
Court
Queen Anne's
County
Md.
Seal
Encypt
Court
Queen Anne's
County
Md.
The State of Maryland to Samuel P. Wright of Queen Anne's County, greeting: Whereas Robert L. Wright has lately exhibited his bill of complaint against Mary Wright, Melinton Wright, Hennieta Wright, William Wright, Thomas Wright, Washington Finley, Richard A. Wright, James J. Earle administrators of Melinton Wright, Wolman S. Gibson administrators of Enoch George, and Enoch George and George M. Russum and Octavia O. his wife, on the Equity side of the Circuit Court for Queen Anne's County; And Whereas the said court has commanded the said Mary Wright, Melinton Wright, Hennieta Wright, William Wright, Thomas Wright, Washington Finley, Richard A. Wright, James J. Earle administrators of Melinton Wright, Wolman S. Gibson administrators of Enoch George and Enoch George and George M. Russum and Octavia O. his wife, to appear before the said court at a certain day now past, to answer the said Bill of complaint, but for as much as the said Mary Wright is an infant under age and cannot answer the said Bill nor defend the said suit without having a guardian assigned in that behalf - Know ye therefore that the said court have given you full power and authority to assign and appoint a guardian for said infant, and take the answer of said infant by such guardian to the said bill, and therefore you are hereby commanded, that at such certain day and place as you shall think fit, you go to the said infant if she cannot conveniently come to you, and assign and appoint a guardian for the said infant, and take the answer of the said infant, by such guardian to the said bill, on such guardian's corporal oath, upon the Holy Evangelly of Almighty God, to be administered by you, the said answer being distinctly and plainly written, and when you shall have taken such answer, you are to send the same closed up under your hand and seal, together with your certificate of having assigned and appointed such guardian as aforesaid, and this writ unto the said Circuit Court.

Witness the Honorable James B. Ricard, Judge of the said court, the second day of May eighteen hundred and sixty four.

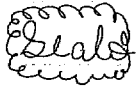
Given the 11th day of May 1864.

Saml. E. Dyott, Clerk,

And on the first day of July in the year aforesaid, Samuel P. Wright Esq. the commission named in the aforesaid commission, makes return of the execution thereof in the manner following, to wit:-

To the Honorable James B. Ricard, Judge of the Circuit Court for Queen Anne's County in Equity the Subscriber, being the commission named in the annexed commission hereby certifies that in execution of the powers thereby vested in me, I did on the twelfth day of May eighteen hundred and sixty four proceed to the dwelling house of Philip B. Feddeman in 3^d election district of Queen Anne's County where Mary Wright the infant named in said commission then was and caused the said infant to be brought before me, and then and there in the presence of said infant assigned and appointed Philip B. Feddeman aforesaid of County aforesaid guardian to said infant, and took the answer of said infant by the said guardian, and under the oath of said guardian by me administered to the bill of complaint in said commission mentioned which said answer with said commission is herewith returned closed under my

hand and seal this twelfth day of May eighteen hundred and sixty four

Levl. J. Wright 

Answer of Infant

The Answer of Mary Wright, an infant under the age of twenty one years by Philip H. Feddeman, her Guardian, to the Bill of Complaint of Robert L. Wright against her & others in Equity exhibited, This Defendant cannot admit any of the matters and things alleged in the said bill and being an infant of tender years submits her rights to the protection of this court.

Philip H. Feddeman

On this twelfth day of May eighteen hundred and sixty four the above named Philip H. Feddeman appeared before me Commissioner, and made Oath that the matters and things stated in the foregoing answer are true to the best of his knowledge and belief - Levl. J. Wright

Thereupon the following Answer was filed, to wit:-

To the Honorable James B. Ricard Judge of the leu circuit court for Queen Anne's County in Equity -

The joint and several answers of Clinton Wright, Henrietta Wright, William Wright, and Thomas Wright Infants under the age of twenty one years by Philip H. Feddeman, their Guardian to the bill of Complaint of Robert L. Wright against them and others in Chancery exhibited - These defendants cannot admit any of the matters and things alleged in said bill and being Infants of tender years submit their rights to the protection of this court

P. H. Feddeman

State of Maryland, Queen Anne's County, to wit: On this 14th day of May 1864. before the subscribed a Justice of the peace of the State of Maryland in & for Queen Anne's County, personally appeared Philip H. Feddeman above named and made Oath that the matters and things stated in the foregoing answer are true to the best of his knowledge and belief

Robt. B. Raymond

Thereupon the following agreement was filed to wit:

Robert L. Wright

vs.

Mary Wright and others

In leu circuit court for Queen Anne's County in Equity.

It is hereby agreed between the Solicitors for complainants and defendants in the above entitled cause that a Commissioner issue to James Wothers Esq. of Queen Anne's County to take testimony

Mo. Parnon & J. P. Parnon Solrs. for Compts
Lloyd Tilghman

Solicitors for Anst. Defts.
Jno. W. Robinson Sol for
W. Finley Deft.

Therefore commission was issued in the following form, to wit: -

Queen Anne's County, to wit: The State of Maryland to James Wooters of
 Seal : Queen Anne's County, greeting: Be it known that you are appointed
 : Sheriff : Commissioner to examine evidences in a cause depending in the
 : Queen Anne's : Circuit Court for Queen Anne's County, between Robert L. Wright,
 : County : Complainant, and Mary Wright, Melinton Wright, Henrietta
 Wright, William Wright, Thomas Wright, Washington Finley, Ri-
 chard W. Wright, James J. Earle administrator of Melinton Wright, Wolm-
 an S. Gibson administrator of Enoch George, and Enoch George and George M.
 Ruseum and Octavia O. Ruseum, his wife, Respondents: You are hereby re-
 quired, having first taken the Oath hereto annexed, and also administered the annexed
 Oath to the person whom you shall appoint as clerk to attend the execution of this commis-
 sion, that at such time and place as to you shall seem convenient, you cause to come
 before you all such evidences as shall be named and produced to you by either the
 complainant or Respondents, and that you examine them on their corporal Oaths to
 be by you administered upon the Holy Evangelical of Almighty God, touching their
 knowledge or remembrance of any thing that may relate to the cause aforesaid,
 and that you cause notice to be given to the parties or their Solicitors of the exe-
 cution of this commission before you execute the same, and having reduced the
 depositions of the witnesses so taken by you into writing, you send the same
 with this commission, closed under your hand and seal, to the said Sher-
 iff with all convenient speed.

Witness the Honorable James B. Ricard, Judge of the said Court the Sec-
 ond day of May Eighteen Hundred and sixty four.

Given the 3rd day of July 1864.

Samuel E. Dyott, Clerk,

Commissioner's Oath

You James Wooters shall, according to the best of your skill and knowledge,
 truly, faithfully and without partiality to any or either of the parties in this
 cause, take the examinations and depositions, of all and every the witnesses
 produced and examined by virtue of the commission hereto annexed, upon
 the interrogatories now, or which may hereafter before the said commission
 is closed, be produced to and left with you by either of the said parties.
 So help you God. Sworn before.

Jno. B. Rowleson

Clerk's Oath

You shall truly, faithfully and without partiality to any
 or either of the parties in this cause, take, write down and transcribe the depo-
 sitions of all and every the witnesses produced before and examined by the com-
 missioner named in the commission hereto annexed, as far forth as you are
 directed and employed by the said commissioner to take, write down and
 transcribe the said depositions or any of them. So help you God.
 Sworn before.

Therefore commission was issued in the form following, to wit:

Queen Anne's County, to wit: The State of Maryland to J. W. Bryant of Carol-
 Seal : ine County, greeting: Whereas Robert L. Wright has lately exhibited his
 : Sheriff : Bill of Complaint against Mary Wright, Melinton Wright, Henrietta Wri-
 : Queen Anne's : ght, William Wright, Thomas Wright, Washington Finley, Richard W.
 : County :

Wright, James T. Earle, administrator of Clinten Wright, Woodman S. Gibson administrator of Enoch George, and Enoch George and George M. Ruseum and Octavia O. his wife, on the Equity side of the Circuit Court for Queen Anne's County; And Whereas the said Court has recommended the said Mary Wright, Clinten Wright, Henrietta Wright, William Wright, Thomas Wright, Washington Finley, Richard W. Wright, James T. Earle Administrator of Clinten Wright, Woodman S. Gibson Administrator of Enoch George, and Enoch George and George M. Ruseum and Octavia O. his wife, to appear before the said Court at a certain day now past, to answer the said Bill of Complaint, but for as much as the said Enoch George is an Infant under age and cannot answer the said Bill and defend the said suit without having a guardian assigned in that behalf: Know ye therefore that the said Court have given you full power and authority to assign and appoint a guardian for said infant, and take the answer of said infant by such guardian to the said Bill, and therefore you are hereby recommended, that at such certain day and place as you shall think fit, you go to the said infant if he cannot conveniently come to you, and assign and appoint a guardian for the said infant, and take the answer of the said infant by such guardian to the said Bill, on such guardians corporal Oath, upon the Holy Evangelically of Almighty God, to be administered by you, the said answer being distinctly and plainly written, and when you shall have taken such answer, you are to send the same closed up under your hand and seal, together with your certificate of having assigned and appointed such guardian as aforesaid, and this writ unto the said Circuit Court.

Witness the Honorable James B. Ricard, Judge of the said Court the second day of May eighteen hundred and sixty four,
 Dated the 6th day of July 1864.

Samuel E. Dyott, Clerk,

And thereupon J. W. Bryant Esq. the Commissioner named in the foregoing Commission makes return of the execution thereof in the words following, to wit:

Robert C. Wright

vs

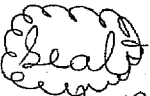
Mary Wright et al

§
§
§
§
§
§

In the Circuit Court for Queen Anne's County
 in Equity

To the Honorable James B. Ricard, Judge of the Circuit Court for Queen Anne's in Equity.

The subscriber, being the Commissioner named in the annexed Commission, hereby certifies that in the execution of the powers thereby vested in me, I did on the 18th day of July in the year eighteen hundred and sixty four proceed to the dwelling place of Capt Alex Stewart in the town of Denton, Caroline County, State of Maryland where Enoch George, the Infant named in said Commission then was, and caused the said Infant to be brought before me, and then and there in the presence of the said Infant assigned and appointed Alex Stewart of Caroline County aforesaid guardian to said Infant and took the answer of the said Infant by his said guardian, and under the Oath of said guardian by me administered to the bill of Complaint in said Commission mentioned which said answer with said Commission is herewith returned, closed under my hand and seal this 18th day of July in the year aforesaid.

J. W. Bryant 

The Answer of Enoch George, an Infant under the age of twenty one years by Alex Stewart his guardian to the Bill of Complaint of Robert C. Wright against

him and others in the ben circuit court for Queen Anne's County in Equity exhibited. This Defendant cannot admit any of the matters and things alleged in the said bill, and being an infant of tender years submit his rights to the protection of this court

A. Stewart

On this 18th day of July eighteen hundred and sixty four the above named Alex. Stewart appeared before me Commissioner, and made oath that the matters and things stated in the foregoing answer are true to the best of his knowledge and belief -

Costs of Commission

J. W. Bryant Commissioner for 1. Day - \$4.00
Alex Stewart Guardian " " 2.00

J. W. Bryant,
Comm. to appoint Guardian

J. W. Bryant Com^r

And afterwards on the fifteenth day of July in the year aforesaid James Waters Esq. the Commissioner named in the aforesaid Commission makes return of the execution thereof in the manner following, to wit:

Robert L. Wright

Mary Wright & others

}}
}}
}}

In the ben circuit court for Queen Anne's County in Equity.

General interrogatories to be propounded to witnesses called to testify before the Commissioner in behalf of complainant -

1. st Are you or not acquainted with the parties to this cause; if yes, state how long you have known them.
2. nd Were you or not acquainted with the late Melinton Wright? if yes, state on or about what time he died, how often and to whom he was married and if he left a widow surviving him, the names of the children of the several marriages and which of them survived him and if any and which of them have died since - the ages of those who have died and if intestate or not, and the ages of those who are now living.
3. rd Were you or not acquainted with the handwriting of the late Melinton Wright, if yes, state the means of your knowledge thereof -
4. th Look at Exhibits A. & D. and state if the subscription of "Melinton Wright," to each of them is or not in the hand writing of said Melinton Wright dec^d -
5. th Are you or not acquainted with the Real Estate in the proceedings mentioned, if yes, state how long you have known same and the present value thereof per acre, also how Melinton Wright acquired same and if he was seized thereof or not in his own right in fee at the time of the dates of Exhibits A. & D.
6. th Did or not said Melinton Wright die largely indebted by Mortgage, Judgment and otherwise, and state if you know the gross amount of his personal assets and the character thereof and if there is a sufficiency to defray the costs of administration and the specified liens thereon -
7. th Were you or not acquainted with late Lewis George; if yes, state on or about what time he died and if he left any children & heirs at Law surviving him, their names and ages.

9 July 1864.

W. Brown &
John B. Brown, Solicitors
for complainants

To the Honorable, James B. Ricard, Judge of the Circuit Court for Queen Anne's County.

At the Execution of the annexed Commission issued out of the Circuit Court for Queen Anne's County, and to me directed, empowering me to examine evidence in a cause depending in the said Court, between Robert C. Wright, Complainant^{and} Mary Wright, and others, Respondents, S. James Wothers, Commissioners therein named, having taken the oaths annexed to said Commission, did at Centerville on the ninth day of July eighteen hundred and sixty four, the usual notice being waived, proceed to take the following depositions:

James F. Earle a witness of lawful age produced and examined on the part of the Complainant being duly sworn, deposes and says,
To the Sixth Interrogatory: He was acquainted with Clinton Wright who died in 1862 and deponent took out letters of administration in April 1862: Said Wright died largely indebted by mortgage, judgment and otherwise: The gross amount of his personal debts was about twenty nine hundred dollars, and about nine hundred and thirty dollars was in negro property, and two of said negroes have since gone into the Army of the United States: There will not be a sufficiency to defray the costs of administration and the specific liens thereon

James F. Earle.

Richard E. Fiddeman, a witness of lawful age produced and examined on the part of the Complainants, being duly sworn deposes and says:

To the First Interrogatory: Is acquainted with all the parties, except Enoch George and Octavia C. Rufum and the three youngest children of Clinton Wright whom he does not know personally, but knows by reputation as the children of Clinton Wright's second and third wives. Witness is a connection of the family.

To the Second Interrogatory: Was acquainted with the late Clinton Wright who died about February or March 1862: Said Wright was married three times, his first wife being Anna Maria Clayton, his second Henrietta Clayton & the third Sallie Clayton who survived him: The children of his first marriage were Robert, Thomas, Mary, Clinton & Sallie - Thomas & Sallie died during his life time and Robert has since died leaving Mary and Clinton still living, Henrietta was the child of the second marriage and is still living, William and Thomas are the children of the last marriage and are still living: The age of all those who have died as also all those now living are under twenty one years of age, except Robert Wright who died after arriving at twenty one years of age intestate as to Real Estate,

To the third Interrogatory: Was acquainted with his hand writing having often seen him write:

To the fourth Interrogatory: The subscription of "Clinton Wright" to the Exhibits "A" and "D" now shown him, is the hand writing of the said Clinton Wright.

To the fifth Interrogatory: Is acquainted with the Real Estate & has known it for twenty years; and its present value per acre, fifteen dollars: Said Real Estate was acquired by devise in fee and was so seized at the dates of the Exhibits "A" and "D."

To the sixth Interrogatory: Has heard that he did die largely indebted, but knows nothing of the other matters contained in this Interrogatory. R. E. Fiddeman.

Pere F. J. Blake a witness of lawful age produced and examined on the part of the complainants, being duly sworn deposes and says:

To the first Interrogatory: He is acquainted with them, except Enoch George.

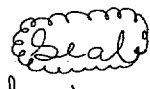
To the second, third, fourth fifth and sixth Interrogatories this deponent says: that having heard the answers of Richard E. Feddeman to the several interrogatories referred to, deponent adopts said answers as his own.

To the seventh Interrogatory: Was acquainted with Enoch George who died in 1858, leaving one daughter Octavia surviving him, who afterwards intermarried with George M. Ruesum; and has heard that said George left a son Enoch, surviving him, who is under twenty one years of age.

F. J. Blake

The complainants Solicitor filed with the Commissioner papers marked Exhibits, "A. B. C. D. E. F. G. and H, which are herewith returned.

There being no other witnesses to be examined and neither party desiring further time for the production of evidences, the Commissioner closed the said Commission and herewith returns the same under his hand and seal the 9th day of July 1864.

James Wothers  Commissioner

Costs,		
Commissioner	4.05	} 6.30
Witnesses	2.25	

Whereupon the following agreement was filed, to wit:

Robert L. Wright	}	In Circuit Court for Queen Anne's County, in Equity -
ss Mary Wright & others		

It is hereby agreed that a decree shall be passed forthwith for sale of the Real Estate in this cause as prayed for.

13 July 1864.

M. Brown & J. B. Brown, Solicitors
for complainant
Lloyd Filghman, Solicitor for Infant
Defendants
Jno. W. Robinson Sol. for
W. Finley & others

Whereupon the court passed the following Decree, to wit:

Robert L. Wright	}	In the Circuit Court for Queen Anne's County in Equity:
ss Mary Wright & others		

This cause standing ready for hearing and being submitted without argument, the proceedings were read and considered, It is therefore this fourteenth day of July in the year Eighteen Hundred and Sixty four by the Circuit Court for Queen Anne's County in Equity and by the authority thereof adjudged, ordered and decreed that the Real Estate in the proceedings mentioned or so much thereof as may be necessary for the purpose be sold, That J. B. Brown of Queen Anne's County, State of Maryland, be and he hereby is appointed

Trustee to make such sale, and that the course and manner of his proceeding shall be as follows: He shall first file with the clerk of the Circuit Court for Queen Anne's County a bond to the State of Maryland, executed by himself with a surety or sureties to be approved according to law, in the penalty of Five thousand dollars, conditioned for the faithful performance of the trust reposed in him by this decree or that may be reposed in him by any future order or decree in the premises - He shall then proceed to make sale of said Real Estate having first given at least three weeks previous notice inserted in some newspaper printed on the Eastern Shore of Maryland and such other notice of the time, place, manner and terms of sale as he may think proper, which terms shall be as follows: Two Hundred dollars cash on the day of sale and the balance in three equal instalments of six, twelve and eighteen months from day of sale, said credit portion to bear interest from first day of January eighteen hundred and sixty five and to be secured by the bond or bonds of the purchaser or purchasers with a surety or sureties to be approved according to law. and as soon as convenient after any such sale or sales the said Trustee shall return to this Court a full and particular account of said sale with an affidavit of the truth thereof and the fairness of said sale annexed - And on the ratification of such sale or sales by this Court and on the payment of the whole purchase money and not before, the said Trustee by a good and sufficient deed to be executed and acknowledged agreeably to law shall convey to the purchaser or purchasers of said property and to his, her or their heirs, the property to him, her or them sold, free clear, and discharged of all claim of the parties to this cause or of any person or persons claiming by from or under them - And the said Trustee shall bring into this Court the money arising on such sale or sales, and the bonds or notes which may be taken for same to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit and such compensation to said Trustee as this Court shall see proper to allow in consideration of the skill, fidelity and attention, wherewith said Trustee shall appear to have discharged his trust.

J. B. Ricard

Therefore Jno. B. Brown Esq. The Trustee named in the foregoing Decree, files in Court here his Bond in the words following, to wit:

Know all men by these presents that we, John B. Brown, John Palmer, and Robert G. Price of Queen Anne's County, State of Maryland, are held and firmly bound unto the State of Maryland in the full and just sum of Five thousand dollars current money, to be paid to the said State of Maryland or its certain Attorney; to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, sealed with our seals and dated this nineteenth day of July in the year eighteen hundred and sixty four -

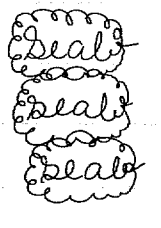
Whereas by a decree of the Circuit Court for Queen Anne's County in Equity bearing date the fourteenth day of July of this present year and passed in a cause in the said Court wherein Robert G. Wright is complainant and Mary Wright and others are defendants, the above bond of John B. Brown has

W. B.
Enter Revenue
D. S. S.
July 19. 1864
50
cents

been appointed Trustee to make sale of certain Real Estate in the proceedings in said cause mentioned, Now the condition of the above obligation is such, that if the above bound John B. Brown do and shall well and faithfully perform the trust reposed in him by this Decree or any future decree or order in the premises, then the above obligation to be void, otherwise to remain in full force and virtue in Law.

Signed, sealed and delivered
in the presence of
W. W. Johnson

John B. Brown
John Palmer
Robert L. Price



On the back of the foregoing Bond was thus endorsed, to wit:
Security offered and Bond filed the 19th day of July 1864.

S. E. Dyott, Clerk,

Thereupon further force of and upon the premises aforesaid is further continued until the fourth Monday of July next at which said fourth Monday of July in the year Eighteen Hundred and sixty four, comes into court here as well the said Robert L. Wright by W. W. Johnson Esquires his Solicitors of aforesaid and the said Mary Wright, Lehinton Wright, Henrietta Wright, William Wright, Thomas Wright, Washington Farley, Richard A. Wright, James F. Earle Adm^r. of Lehinton Wright, Woodman S. Gibson Adm^r. of Cnoch George, and Cnoch George, George M. Rufum and Octavia O. Rufum his wife, by their Solicitors aforesaid. And thereupon John B. Brown Esq. The Trustee named in the aforesaid Decree files in court here his Report of Sales in the words following, to wit: -

Robert L. Wright
Mary Wright et al

In Circuit Court for Queen Anne's County
in Equity

To the Honorable J. B. Percand, Judge of the Circuit Court for Queen Anne's County in Equity -

The Report of John B. Brown Trustee heretofore appointed by the Decree in this cause to make sale of certain Real Estate in the proceedings in the cause mentioned, shows; That after giving bond with security for the faithful discharge of his trust as required by said Decree and giving notice of the time, place, manner and terms of sale by advertisement in the "Maryland Citizen" and the "Centerville Observer", two newspapers printed in the town of Centerville, Queen Anne's County, State of Maryland, for more than three successive weeks before the day of sale, and by handbills extensively circulated throughout the State of Maryland and the States of Pennsylvania, Delaware and New Jersey, he did pursuant to said notice attend at Centerville on Tuesday, the thirtieth day of August in the year eighteen Hundred and sixty four, between the hours of one and three o'clock P. M. and then and there proceeded to sell said Real Estate as follows, to wit: -

According to the terms of sale as advertised as aforesaid your Trustee offered said Real Estate called "Mary's Portion", in two separate farms or parcels as the same had been divided and laid down by Lehinton Wright in his lifetime, which said separate farms or parcels are described by metes and bounds, courses and distances in deeds of conveyances thereof from Lehinton Wright to his children as follows - deed of conveyance from said Lehinton Wright to

Robert Wright and others, bearing date the twenty fifth day of January in the year eighteen hundred and fifty nine and recorded in Liber W. P. No. 1. folios 93 + 94, one of the land Record Books for Queen Anne's County, of all that farm whereon Mrs Dallis E. Wright resides containing one hundred and twenty eight acres, three rods and thirty four perches of land, deed of conveyance from said Helinton Wright to Henrietta Wright bearing date and recorded as aforesaid deed as to Liber folios 92 & 93 thereof of all that farm whereon John Mason resides, containing one hundred and sixteen acres, one rod and twenty one perches of land making the aggregate contents of "Mary's Portion" to be two hundred and forty five acres, one rod and fifteen perches of land - Your Trustee then offered said land in one tract, body & lump and the amount bid for same so offered exceeding the aggregate amount bid for same offered in two farms or parcels, Henry Mullikin of Kent County, State aforesaid being the highest bidder, was declared the purchaser of the whole tract at and for the sum of twenty four dollars per acre or the sum of five thousand eight hundred and eighty eight dollars and twenty five cents - said Real Estate was sold free, clear and discharged of dower interest or estate of Mrs Dallis E. Wright widow and relict of Helinton Wright decd. Your Trustee then received from said Henry Mullikin a cash payment of one thousand eight hundred and seventy dollars and six cents and took his bond, with William L. Sperry as security thereto, to receive the balance of purchase money, to wit: four thousand and eighteen dollars and nineteen cents with interest from first day of January next and payable on or before the first day of January eighteen hundred and sixty six - Your Trustee after offering said property according to the terms of the decree was induced after sale to alter and modify the terms as above indicated to suit the convenience of the purchaser, being at same time satisfied that interests of all parties concerned in proceeds of said Real Estate would be advanced thereby -

All which is respectfully submitted.

John B. Brown, Trustee

State of Maryland, Queen Anne's County, to wit: - On this 18th October 1864 before me the undersigned a Justice of Peace of State in and for County aforesaid personally appeared John B. Brown Trustee named in foregoing report of sale and made Oath in due form of law that the matters and things stated in said report of sale are true to the best of his knowledge and belief and that the sale therein reported was fairly made.

Jno. H. Rowleson J. P.

Wherefore the Court passed the following Order, to wit: -

Robert L. Wright

vs

Mary Wright et al

§
§
§

In l. l. G. W. les. in Equity

Ordered, this 18th day of October 1864. that the sale made and reported by John B. Brown, Trustee in above cause of the Real Estate therein decreed to be sold be ratified and confirmed unless cause to the contrary thereof be shown on or before the first Monday of January 1865; provided a copy of this order be inserted in some paper printed at Centerville, D. W. les. once in each of three successive weeks before the first day of December next.

Report states amount of sale to be \$5888.25

Saml. E. Dyott, Clerk

Thereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of January next at which said fourth Monday of January in the year Eighteen Hundred and sixty five comes into court here as well the said Robert L. Wright, Complainant by his Solicitors aforesaid and the said Mary Wright et al, Defendants by their Solicitors aforesaid, The Honorable John W. Robinson having announced his disqualification to sit in this cause by reason of his having been Solicitor for Defendants, the following agreement was filed to wit:-

Robert L. Wright }
vs } In the Circuit Court for Queen Anne's County
Mary Wright & others } in Equity. January Term 1865

John W. Robinson Esq. Solicitor for Defendants having been elected Judge of the 10th Judicial Circuit of Maryland, it is hereby agreed between the parties to this cause that Thomas J. Keating Esq. of Queen Anne's County be and he hereby is appointed Special Judge in said cause -
31 January 1865.

John B. Brown
Solicitor for Compts
Lloyd Silghman
Solicitor for Defts

Thereupon the court passed the following Order, to wit:

Wright }
vs } In the Circuit Court for Queen Anne's County
Wright et al } in Equity - January Term 1865

Ordered this sixth day of February in the year Eighteen Hundred and sixty five that the sale within reported be, and the same is hereby finally ratified and confirmed no cause to the contrary thereof having been shown. although notice appears to have been given as directed by preceding order, The Trustee is allowed the usual commissions and expenses.

Thos. J. Keating

Thereupon P. P. Zieffler Esq. the Auditor of this court files his Report in the words and form following, to wit:-

Robert Wright }
vs } In the Circuit Court for Queen Anne's County
Mary Wright & others } sitting as a court of Equity -

To the Hon. The Judge of the Circuit Court for Queen Anne's County. The Auditor respectfully reports that he has examined the proceedings in this cause and has therefore prepared the following account between the Real estate of William Wright deceased and J. B. Brown Trustee for the sale thereof in which he allowed to the Trustee his commissions and expenses, to the complainants and Defendants each their costs of suit and to the Auditor his fee, the balance he applied to the claims filed and allowed in the account according to their priority beginning with complainants claim which was the oldest, the claims from 1. to 5. inclusive were secured by a mortgage to indemnify his securities on his guardian bond and were allowed as they would have been to the securities had they themselves paid them to the claimants in the first instance, The Allowance to the widow was out of a small balance left after paying off liens existing

before her marriage, the marriage having taken place before the execution of the Mortgage to James S. Earle & others, who receive the balance after deducting dues.

D. B. Hoopes Auditor
 Jan'y 30, 1867

For The Real Estate of Melinton Wright dec'd. in account with John B. Brown Esq. Trustee for the sale thereof.

1864 Aug 13	To the Trustee for his commissions	280	53
	To the Trustee for his expenses as per acct & vouchers	112	04
	To the complainants for their costs of suit as per bill of } Same filed by clerk	65	05
	To the Defendants for their costs of suit as per bill of } Same filed by the clerk	20	20
	To the Auditor for stating this acct &c.	13	50
	To the complainant for his Mortgage debt and } interest paid by the Trustee	491	32
	To Henrietta Wright } claim No. 1.	1116	80
	To J. B. Brown admr. of Robert F. DeWright } for claim No. 2.	103	13
	To Melinton Wright, minus for claim No. 3.	286	57
	To Mary F. Wright " No. 4.	144	02
	To J. B. Brown admr. of Sallie Wright " No. 5.	286	57
	To T. B. Parker & C. B. Newman Exors of D. Newman } for judgt on frat dated 1 Nov 1858 claim No. 6. }	701	20
	To W. Brown surviving admr. &c use Washington Finley } for balance of judgment dated 3 May 1858 and paid } by the Trustee claim No. 7. }	780	00
	To W. Bailey Exr. of Ed Hamilton for balance of } judgment dated May 3 ^d 1858. pd by Trustee claim No. 8. }	201	27
	To Wm. F. Parrott use Jas. S. Earle for balance of } judgment dated 9 Nov. 1857 claim No. 9. }	134	61
	To Sallie C. Wright widow of Melinton Wright for dues } in balance after the payment of the aforesaid liens } which existed before her marriage with him, being } $\frac{2}{3}$ of balance \$ 35.03	5	39
	To James S. Earle, Samuel S. Earle & Wm. L. Starkey } securities on his collectors bond for which they } held mortgage to indemnify dated 26 July 1859, } to be applied to these claims No 10 & 11.	29	64
		\$5888 25	

1864 Aug 13	Payment of proceeds of Real Estate as per Trustee Report of same filed	5888	25
		\$5888 25	

Thereupon the court passed the following Order, to wit:-

In the lieueint court for Queen Anne's lieueint in Equity
Ordered on this 17th May 1867 by me Thomas J. Keating, special Judge in this
cause, that the within and foregoing Report of the Auditor be and the same is
hereby finally ratified and confirmed; and the Trustee is directed to pay over
accordingly with a due proportion interest received on each claim allowed except-
ing the allowance to James S. Earle & others improperly allowed - same should
have been embraced in the lieueint allowed Trustee to compensate for
error in taxing his lieueint.

Thos. J. Keating

Sophia Smith, William D. Smith
the next friend of Ellen Sophia Tolson
& Sarah Isabella Tolson.

James W. Smith, Anna M. Smith, his
wife, Ellen Sophia Tolson, James P.
Tolson, Sarah Isabella Tolson

Be it remembered that on this twenty
fifth day of September in year eighteen
hundred and sixty five, Sophia Smith,
William D. Smith the next friend of Ell-
en Sophia Tolson & Sarah Isabella Tol-
son, by George Tucker Esquire their Sol-
licitor files in lieueint here their Bill of
lieueint against James W. Smith,

Anna M. Smith, his wife, Ellen Sophia Tolson, James P. Tolson, Sarah Isabel-
la Tolson, in the under following under, to wit:

To the Honorable the lieueint court for Queen Anne's lieueint as a lieueint of Equity.
The Bill of lieueint of William D. Smith of Queen Anne's lieueint the next friend
of Ellen Sophia Tolson and Sarah Isabella Tolson the former of Queen Anne's lieueint
and the latter of Kent lieueint Infants under the age of twenty one years, and
Sophia Smith of Kent lieueint, humbly shows, that James W. Smith of Kent
lieueint departed this life intestate on or about the year eighteen hundred and forty
four, leaving the said Sophia Smith his widow, and the following children
and heirs at law, to wit - Sarah Elizabeth Smith, who afterwards intermarried
with a certain James P. Tolson, and who afterwards died intestate leaving the
said Ellen Sophia Tolson and Sarah Isabella Tolson her children and heirs at
law, Marshall Smith, James W. Smith, William D. Smith, Samuel George
Smith, Sophia Isabella Smith and Sarah Catharine Smith: that he left
considerable real Estate in Kent and Queen Anne's lieueints, which descended

to his said heirs, and who were seized thereof, the largest portion being in Kent County aforesaid; that the said Sophia Isabella Smith and Sarah Catherine Smith afterwards departed this life intestate, leaving the survivors aforesaid their heirs at law. That afterwards, on or about the month of June in the year eighteen hundred and fifty six, the said Michael Smith filed and exhibited his Petition to the Circuit Court of Kent County for a division of the said Real Estate, upon which a commission issued out of said Court to certain commissioners to divide the said Real Estate if practicable, among the children and heirs at law of the said James H. Smith, according to law; that the said commissioners qualified and met, and took such proceedings thereon, that they divided the said Real Estate into four parts, as described in their return, but could not divide the same equally among the said heirs and persons entitled - said parts were numbered, 1, 2, 3, & 4 respectively; that part No. 1. they laid down and located, as the widow does in all the Real Estate and assigned the same to the said Sophia Smith as her dower: which consisted of a farm, tract or parcel of land, commonly called "The Church Hill Farm" lying in Green Anne's County, lying on the main road leading from Church Hill to D. R. adjoining the lands of Asbury Rochester, Samuel Macy and others, described by course and distance and containing two hundred and seven acres and two perches, also a woodlot as part of said dower, detached from the said farm containing twenty three acres, three rods and eighteen perches of land, and as described by course and distance in said proceedings; that the said James H. Smith elected to take and did take part of said land being division No. 4. and refused to take any other part and he complied with the order of Court in relation to the same; and William D. Smith elected to take and did take that portion or division of said land marked No. 2. and complied with the order of Court in relation to the same: that the portion or division of said land marked No. 3. was sold by the said commissioners, and the said sale and all the proceedings was confirmed by the Court aforesaid, and as will more fully appear by reference to the said proceedings a transcript whereof marked Exhibit A. is herewith filed & prayed to be taken as a part of this Bill your Orators and petitioners further charge that the said Sophia Smith as the widow took possession of the said portion or division marked No. 1. as aforesaid, as her dower, and has ever since held and enjoyed the same: that after her death, the said land will vest in possession as the remainder or reversion in fee now does, in the heirs at law of the said James H. Smith, to wit: the said Michael Smith, William D. Smith, James H. Smith, Samuel George Smith and the said Ellen Sophia Tolem and Sarah Isabella Tolem children of Sarah Elizabeth Tolem, deceased, by her husband James P. Tolem who is still living; that the said James H. Smith has purchased the remainder or reversion in fee in said land, of the said Michael, William D. and Samuel G. Smith, by deed duly recorded among the land records of Green Anne's County; They further represent that in consequence of the life estate or dower of said Sophia Smith in said land, and of the minority of the said Ellen Sophia Tolem and Sarah Isabella Tolem, the said land has not been improved, but has depreciated in value, and under the circumstances will probably depreciate more in value, the Tenant for life not being able or willing to expend money for improvement, and the person now holding the remainder in fee being also unwilling to improve the same, when the said two children Ellen Sophia Tolem and Sarah Isabella Tolem, being minors would derive a proportionate benefit, without any expenditure on their part; that it would now be to the interest and advantage of all the parties interested in the said portion of the estate, the Tenant for life and the others in remainder and

of the said Infants Ellen Sophia Tolson and Sarah Isabella Tolson, that the said land and premises should be sold, and the proceeds of sale distributed among the respective persons entitled, according to their respective interests and estates; and the moneys heretofore invested in some safe security; To the end thereof that the said James N. Smiths and Anna M. Smiths his wife of Queen Annes County, James P. Tolson and Sarah Isabella Tolson of Kent County and Ellen Sophia Tolson of Queen Annes County, may answer the premises; and that the aforesaid Real Estate may be sold under the Authority of this Court; and that your Orators and Petitioners may have such further and other relief as their case may require, may it please your Honorable Court to grant unto your Orators and Petitioners the writ of Subpoena against the said James N. Smiths, Anna M. Smiths, his wife, and Ellen Sophia Tolson, of Queen Annes County and James P. Tolson and Sarah Isabella Tolson of Kent County, commanding them to appear in this Court, at some certain days to be therein named, to answer the premises, and abide by and perform such decree as may be passed therein, and as in duty bound your Orators & Petitioners will ever pray &c.

George Pickers
Solicitor for Complainants

The Exhibit "A" referred to in the Bill of Complaint is in the words following to wit:

State of Maryland, Kent County, &c.

At a Circuit Court begun and held at the Court House in the Town of Chester in and for Kent County on the third Monday of October in the year of our Lord one thousand eight hundred and fifty eight hundred and fifty eight

Were Present

- Hon Richard Bennett Esq. Michael Sole Judge
- William H. Lambert Esq. Sheriff
- Joseph K. Harris, Clerk

Among other proceedings in the said Court were the following, to wit:

<p>Michael Smiths vs James N. Smiths et al</p>	}	<p>Be it remembered that heretofore, to wit: at the April Term 1856 of the Circuit Court here Michael Smiths by George Pickers Esq. his Attorney filed in the said Court, his petition which is in the following words to wit:</p>
--	---	--

To the Honorable the Circuit Court for Kent County:

The petition of Michael Smiths of Kent County respectfully sheweth, that his father James H. Smiths late of Kent County, departed this life intestate about the year Eighteen Hundred and forty four, seized in fee of diverse lands and tenements in Kent and Queen Annes Counties, the largest portion of the lands being in Kent County, to wit, a farm in Kent County supposed to contain two hundred and seventy five acres and another supposed to contain one hundred acres, a farm in Queen Annes County containing about two hundred acres and another in the said last mentioned County containing about one hundred and fifty acres. but a survey thereof will particularly show the quantity of said lands; and hath left a widow named Sophia Smiths and the following persons his children and heirs at law to wit: Sarah Elizabeth Smiths who has since intermarried with James P. Tolson and resides in Queen Annes County: Michael Smiths your Petitioner, James N. Smiths

William Davis Smith, Samuel George Smith, Sophia Isabella Smith and Sarah Catherine Smith all minors, except the first two named and the said James W. Smith being now within a few days of twenty one years of age, to whom said lands and real estate descended and who were seized in fee thereof that the said Sophia Isabella Smith afterwards died in infancy, and leaving the other children her heirs at law, and that afterwards, the said Sarah Catherine Smith departed this life in infancy leaving the other persons her heirs at law, and that the children now living are seized thereof: Your Petitioner further represents, that in consequence of the minority of the said James W. Smith William Davis Smith and George Smith he is unable to obtain a division of the said Real estate: He therefore prays your Honorable Body that a Commission may issue agreeably to the Acts of Assembly in such cases made and provided to five discreet and sensible men to be Commissioners authorizing and empowering them or a majority of them to proceed in the premises according to law, and divide and make partition of the said real estate in Kent and Queen Anne's Counties fairly and equally in value between all the parties interested according to their just proportions and your Petitioner as in duty bound will ever pray &c.

George Pickers Atty
for Petitioner.
April Term 1856.

Whereupon the Court here directed a Commission to issue as prayed to John Lee, Richard Corbally, William Macy, Richard C. Johnson and Joseph W. Money: which was accordingly done as follows.

Kent County, &c: The State of Maryland to John Lee Richard Corbally, William Macy, Richard C. Johnson and Joseph W. Money of Kent County greeting whereas Michael Smith of Kent County by his petition to the Judge of the Circuit Court for Kent County hath set forth that his father James G. Smith late of Kent County departed this life intestate about the year 1844 seized in fee of divers lands & tenements in Kent & Queen Anne's Counties, the largest portion of the lands being in Kent County to wit - a farm in Kent County supposed to contain Two hundred and seventy five acres and another supposed to contain about one hundred acres, a farm in Queen Anne's County containing about Two hundred acres, and another in the said last mentioned County containing about one hundred and fifty acres and so forth, the subject matter of the petition hereinbefore &c. and Commanding said Commissioners to lay off said lands with mid-rows done &c

Witness &c

P. R. Hooper, Judge
Signed James S. Gordon, Clerk,

Which said Commissioners afterwards to wit on the 13th day of January 1857 make their return of said Commission to the Court here as follows to wit.

To the Honorable the Circuit Court for Kent County.
The undersigned Commissioners appointed by the Commission hereto prefixed, to adjudge and determine in regard to the division and value of the real estate of James G. Smith late of Kent County deceased lying in Kent and Queen Anne's Counties and to perform the other duties required in and by the said Commission hereby respectfully report and return to this Honorable Court - that having first taken the oaths annexed to said Commission a thereon

certified and having caused due notice according to law to all the parties concerned of our intention to proceed to execute the said commission at the dwelling house of Michael Smith in Kent County and on part of the premises by advertisements set up at the door of the court house of said County and such other public places in the said County, and also in Queen Anne's County as we considered advisable to direct, and in the Kent news a newspaper printed and published in Chestertown Kent County, at least thirty days previous to our proceeding to execute the said commission: we proceeded agreeably to such notice to meet at the place appointed therein, and at the time therein appointed to wit: on the first day of September in the year eighteen hundred and fifty six and then and there appointed Cornelius J. Scott of Kent County a competent Surveyor and by us thought qualified to survey and locate said lands in Kent County and Queen Anne's Counties; and we caused the said lands to be surveyed and plat-
 ted by the said Surveyor, we examined and caused to be located by the said Surveyor, the dower of Sophia Smith the widow of the said James H. Smith and named in the said commission in and of the said lands of the said intestate; All which will more fully appear by the certificates and plats made out and signed by the said Surveyor which are hereto annexed as part of this return.

And we the undersigned commissioners after examining the said lands and real estate of the said James H. Smith (deceased) and after due consideration did adjudge and determine, that the said Real Estate cannot be equally and fairly divided between all the parties interested according to their several just proportions: Because there are only three farms or plantations and seven children and heirs at law of Intestate, and these farms lying in two Counties and detached, cannot be divided and portions of one annexed to another; and because there are not a sufficiency of wood and timber and buildings sufficient for seven portions or divisions and because the proportion of each would if divided into seven parts be small, and the lands being mostly thin, would not seem to justify the erection of buildings or portions, that would be destitute of such improvements:

We further return, that we did determine that the said lands and Real estate could be divided into four parts after laying off the widow's dower: and we therefore caused the said lands to be divided into four unequal parts: to wit a farm near Pridass Hill in Queen Anne's County containing Two Hundred and seven acres and two perches and a wood lot on the road leading from Church Hill to Endlersville containing Twenty four acres marked on the plat No. 1. we located and laid off as the widow's dower as per plat and certificate, The farm commonly called the Tolson farm and known by the name of "Chapley" containing one hundred and thirty five acres and thirty four perches is part No. 2. and so marked on the Plat as per Plat and certificate, the land lies in Queen Anne's County.

Part No. 3. consists of part of the farm known as the Gleome farm near the Mill Branch in Kent County containing Two Hundred and Twelve acres three rods and ten perches, and marked Part No. 3. on the plat as per plat and certificate will appear.

Part No. 4. consists of the residue or other half part of the Gleome farm, containing Two Hundred and twelve acres three rods and ten perches

and marked on the Plat "Part No. 4," as per plat and certificate, And we the said commissioners having determined and decided as aforesaid proceeded to estimate the real value of the said real estate in current money and did value the same subject to the widows dower as located as follows,

Part No. 1. laid down as the widows dower containing 207 acres & 2 perches and 25 acres of wood land we valued subject to the widows life estate therein at \$2295.00

Part No. 2. Containing 135 acres & 34 perches, we valued at \$20 per acre amounting to \$2704.25

Part No. 3. containing 212 acres 3 woods & ten perches we valued at \$13 per acre, amounting to \$2766.56

Part No. 4. containing 212 acres 3 woods & ten perches, we valued at \$9 per acre amounting to \$1815.35

The whole valuation amounting to the sum of \$9581.16

The commissioners were not advised of any other incumbrance on the said lands than the widows dower as aforesaid, while executing the duties of the commission the commissioners adjourned from time to time, and met in pursuance thereof on the following days Monday the first, Tuesday the second Wednesday the third and Monday the fifteenth of September.

We also certify that we have allowed the surveyor thirty eight dollars for his services, and chain carriers, the sum of twelve dollars for their services as per statement of expenses annexed. All which proceedings we hereby respectfully return and certify.

Given under our hands and seals. this eighteenth day of October in the year eighteen hundred and fifty six.

Jno. Lee
Richard Corbally
William Lacy
R. C. Johnson

Seal
Seal
Seal
Seal

The lines of Part No. 1. which was laid off for the widows dower are as follows,

State of Maryland, Kent County, to wit:
I hereby certify that under a commission issued by the Hon. Circuit Court of Kent County I was employed to survey the lands of the heirs of the late James G. Smith of the county aforesaid and State of Maryland, The said lands being situated in Kent and Queen Anne's Counties according to instruction I proceeded on the 11th inst to survey the farm situated near Church Hill, upon the main road leading from that village to S. P. and adjoins the lands of Albany Rochester Samuel Lacy and others, beginning at the bridge which is at a branch called Prinders Branch and running with said main Road the following courses and distances N. 34 3/4° E. 129 fms, thence S 83 3/4° E 23.44 fms to Rochester's land N. 49° E. 21.78 fms, thence N. 86 1/4° E. 30 fms, thence N. 89 1/2° E. 41.72 fms, thence N. 3/4° W 21.4 to a stone, thence S. 76° E. 99 fms to the lands of Samuel Lacy, thence with Samuel Lacy's land the eleven following courses and distances S 10° E. 43 fms, thence S. 45 1/4° W 14 fms to Prinders Branch, thence S 50 1/2° W. 10.44 fms, thence S. 42° W. 17.41 fms, thence S. 22 1/4° W. 11.12 fms, thence S 38 1/2° W 18 fms, thence N. 71 1/2° W. 6.64 fms, thence S. 66° W. 13 fms, S 46 1/4° W 9.44 fms, thence S. 39 1/4° W. 10 fms, thence S 35 1/2° E. S. 52 perches to the stream and to the lands of Geo Sperry dec'd, thence with the said Sperry's land and the said branch the following courses and distances

S. $72\frac{1}{2}^{\circ}$ W 18 fcs, Thence S. 73° W, 7 fcs, Thence S. $74\frac{3}{4}^{\circ}$ W, 8.2 fcs, Thence S. $33\frac{3}{4}^{\circ}$ W, 16 fcs. Thence S. $83\frac{1}{2}^{\circ}$ W, 9.72 fcs, Thence S. $153\frac{3}{4}^{\circ}$ W 8.28 fcs, Thence S. 57° W, 14.76 fcs, Thence S. 45° W 17.36 fcs, Thence S. 67° W 5 fcs to a ditch cut as the line, Thence with the said line to the beginning laid out and surveyed to contain 207 acres and two perches. I also at the same time surveyed a piece of woodland detached from the said farm which is situated about four miles from Dudlerville and is upon the main road leading to Lechurch Hill. Beginning at a marked black jack upon the said main road where Farbutton's land corners, and running with the said road reversed N. 62° E. 45 fcs to Farbutton's land, Thence N. 28° W 110 fcs to Anderson's land, Thence S. 62° W, 14 fcs, Thence S. 43° W, 12 fcs, Thence S. 50° E. 4 fcs, Thence S. 5° E 14 fcs Thence to the place of Beginning laid out and surveyed to contain 93 acres 3 rods and 18 perches. The within named land was laid off as the Widow dower right in the whole land.

George Fourn x Roads
September 25th 1856

Cornelius J. Scott.

Which said Commissioners return was fully ratified and confirmed by the leicuit court here on the 27th day of July in the year 1857. and at the same time James W. Smith one of the heirs at law elected to take that part of said lands designated in the Commissioners return as Part No. 4. and entered into Bond under order of said court for the portion of the other heirs in the same.

And afterwards, to wit: on the 20th day of July 1858 William D. Smith another of the heirs at law of James B. Smith elected to take that part of the real estate mentioned in the Commissioners return as part No. 2. and entered into Bonds with the other heirs at law under the direction of this court.

And afterwards, to wit: on the said 20th day of July in the year last aforesaid the court here directed that the Commissioners aforesaid proceed to sell that part of the real estate mentioned in their report as part No. 3. (Michael Smith having refused to take it he being the eldest male heir) and accordingly the same was done agreeably to said order. and their return thereto fully ratified and confirmed, the purchasers at said sale having given bonds as required by the order of the said court to the several parties interested therein,

State of Maryland, Kent County, &c:

I hereby certify that the within and foregoing is a true abstract taken from the proceedings of the sale of the real estate of James B. Smith deceased, on record in this Office.

Seal
Leicuit Court
Kent County
State of
Md.

In Testimony whereof I hereto subscribe my name and affix the Seal of the leicuit court for Kent County this 23^d day of September A. D. 1865.

John K. Hornis, Clerk

Thereupon Subpoena's were issued in the manner and form following, to wit: Queen Anne's County, The State of Maryland, To James W. Smith, Anna

Seal
Leicuit Court
Queen Anne's
County

No. Smith his wife, and Ellen Sophia Tolson, of Queen Anne's County, you are hereby commanded that all excuses and delays set aside, you appear before the leicuit court for Queen Anne's County, to be held at Centerville in said County on the first Monday of November next, to answer unto the complaint of Sophia Smith, and William D. Smith the next friend of Ellen Sophia Tolson & Sarah

Isabella Tolson, against you in the said libel exhibited: Hereof fail not as you will answer the contrary at your peril. Witness the Honorable John M. Robinson Judge of our said libel the 25th day of September A. D. 1865.

Samuel E. Dyott, clerk,

Queen Anne's County, to wit:

Seal
The State of Maryland,
To James P. Tolson and Sarah Isabella Tolson of Kent County, greeting: You are hereby commanded that all excuses and delays set aside you appear before the Circuit Court for Queen Anne's County, to be held at Centerville in said County, on the first Monday of November next to answer unto the Complaint of Sophia Smith, and William D. Smith the next friend of Ellen Sophia Tolson and Sarah Isabella Tolson, against you in the said libel exhibited; Hereof fail not as you will answer the contrary at your peril.

Witness the Honorable John M. Robinson Judge of our said libel the 25th day of September A. D. 1865.

Samuel E. Dyott, clerk,

W. B.
Enter Revenue
27c
Sept 25. 1865
50
cents

And afterwards to wit: on the 6th day of November in the year eighteen hundred and sixty five, William F. Ford Esq. the Sheriff of Queen Anne's County, to whom the first afore recited Subpoena was directed, makes return of the same thus endorsed to wit:

Wm. F. Ford, Sheriff.

And afterwards, to wit on the said first Monday of November in the year one thousand eight hundred and sixty five, S. W. Coker Esq. Sheriff of Kent County and to whom the second afore recited Subpoena was directed, makes return of the same thus endorsed, to wit:

Summoned
S. W. Coker, Sheriff,

Thereupon the following answer was filed to wit:
To the Honorable, the Circuit Court of Queen Anne's County as a Court of Equity

The Joint and several Answers of James N. Smith and Anna M. Smith to the Bill of Complaint of Sophia Smith and others exhibited against them on the Equity side of the Circuit Court for Queen Anne's County.

These Defendants for Answer to said Bill of Complaint say that they admit the truth of the several matters and things stated in the said Bill of Complaint, and are willing that a decree for sale shall pass as prayed & they pray to be hence dismissed &c.

Novem 8th / 1865

James N. Smith
Anna M. Smith

To the Honorable, the Circuit Court for Queen Anne's County as a Court of Equity

The Answer of James P. Tolson to the Bill of Complaint of Sophia Smith and others, exhibited against them on the Equity of the Circuit Court for Queen Anne's County. This Defendant for answer to said Bill, says that he admits

the truth of the several matters and things stated in said Bill of Complaint, and is willing for a decree for a sale of said land.

Nov. 14 1865

Yours Respectfully

Jas. B. Tolson

And afterwards, to wit: on the 24th day of November in the year eighteen hundred and sixty five, the court passed the following decree, to wit:

Sophia Smith,
William D. Smith next friend
of Ellen Sophia Tolson and
Sarah Isabella Tolson
vs
James G. Smith, Anna M.
Smith his wife and others

In Circuit for
Queen Anne's County
in Equity

This cause standing ready for hearing, and being submitted without argument, the proceedings were read and considered. It is therefore, this 24th day of November eighteen hundred and sixty five, by the Judge of the Circuit Court for Queen Anne's County, and by the authority of this Court adjudged, ordered and decreed, that the real estate in the proceedings mentioned, be sold. That George Trickers of Kent County, he and he is hereby appointed Trustee, to make such sale; and that the course and manner of his proceeding shall be as follows: He shall first file with the Clerk of the Circuit Court for Queen Anne's County, a bond to the State of Maryland, executed by himself, with a surety or sureties to be approved by the Judge or Clerk of said Court, in the penalty of six thousand dollars, conditioned for the faithful performance of the trust reposed in him by this decree, or which may be reposed in him, by any future order or decree in the premises. He shall then proceed to make sale of said real estate, having first given at least three weeks previous notice, inserted in some newspaper printed in Queen Anne's County, and such other notice, as he may think proper of the time, place, manner, and terms of sale: which terms shall be as follows, one hundred dollars in cash on the day of sale, and the residue of the purchase money to be paid in equal instalments of six, twelve and eighteen months from the day of sale, the whole of said residue to bear interest from the day of sale, and the payment thereof to be secured by the bond or bonds of the purchaser, with a surety or sureties, to be approved by the Trustee. And as soon as convenient after such sale, the said Trustee shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof, and of the fairness of such sale annexed. And on the ratification of such sale by this Court, and on the payment of the whole purchase money, (and out before) the said Trustee, by a good and sufficient deed, to be executed and acknowledged agreeably to law, shall convey to the purchaser or purchasers of said property, and to his, her or their heirs, the property to him, her or them sold, free, clear and discharged of all claim of the parties to this cause, and of any person or persons claiming by, from or under them. And the said Trustee shall bring into this Court the money arising on such sale, and the bonds which may be taken for the same, to be disposed of under the direction of this Court, after deducting therefrom 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, where-with he shall appear to have discharged his trust.

Jno. M. Robinson

Therefore commission was issued in the manner and form following, to wit:

Queen Anne's County, to wit:

Deal: The State of Maryland to James Wooters of Queen Anne's County
 Sheriff: and State of Maryland, greeting, Whereas William D. Smiths of
 Queen Anne's County: the next friend of Ellen Sophia Tolson and
 Sarah Deabella Tolson the former of Queen Anne's County and the
 latter of Kent County infants under the age of twenty one years and
 Sophia Smiths of Kent County has filed their Bill of Complaint in the Sheriff
 Court for Queen Anne's County as a Court of Equity, setting forth that James B.
 Smiths of Kent County departed this life intestate on or about the year Eighteen
 hundred and forty four, leaving the said Sophia Smiths his widow, and the
 following children and heirs at law, to wit: Sarah Elizabeth Smith, who aft-
 erwards intermarried with a certain James P. Tolson and who afterwards
 died intestate leaving the said Ellen Sophia Tolson and Sarah Deabella Tolson
 her children and heirs at law, Michael Smith, James N. Smith, William D.
 Smith, Samuel George Smith, Sophia Deabella Smith and Sarah Catherine
 Smith; that he left considerable real estate in Kent and Queen Anne's Count-
 ies, which descended to his said heirs, and who were seized thereof, the largest portion
 being in Kent County aforesaid; that the said Sophia Deabella Smith and Sarah Cath-
 erine Smith afterwards departed this life intestate, leaving the survivors aforesaid
 their heirs at law. That afterwards, on or about the month of June in the year Eight-
 een hundred and fifty six, the said Michael Smith filed and exhibited his
 Petition to the Sheriff Court of Kent County for a division of the said real estate:
 upon which a commission issued out of said Court to certain Commissioners to divide
 the said real estate if practicable among the children and heirs at law of the said
 James B. Smith according to law: that the said Commissioners qualified and
 met, and took such proceedings thereon, that they divided the said real estate
 into four parts, as described in their return, but could not divide the same equ-
 ally among the said heirs and persons entitled, said parts were numbered 1,
 2, 3 & 4 respectively: That part No. 1. they laid down and located, as the widow
 Doves in all the real estate and assigned the same to the said Sophia Smith as
 her Doves: which consisted of a Farm, tract or parcel of land, commonly cal-
 led "The Church Hill farm" lying in Queen Anne's County, lying on the main
 road leading from Church Hill to D. P. adjoining the lands of Lebury Rochester,
 Samuel Leacy and others, described by courses and distances and containing
 two hundred and seven acres and two perches, also a woodlot &c - That it would
 now be to the interest and advantage of all the parties interested in the said
 portion of the estate, the tenant for life and the other in remainder and of the
 said infants Ellen Sophia Tolson, and Sarah Deabella Tolson that the said land
 and premises should be sold, and the proceeds of sale distributed among the
 respective persons entitled, according to their respective interests and estates
 and the minors proportions invested in some safe security: But for as much
 as the said Ellen Sophia Tolson & Sarah Deabella Tolson are infants under
 the age of twenty one years, and cannot answer the said Bill nor defend this suit
 without having a guardian assigned in that behalf: Be it therefore known that
 the said Court has given unto you full power and authority to assign and
 appoint a guardian for said infants, and to take the answer of said infants
 by such guardian, to the said Bill, and you are hereby requested that at
 such day and place as you shall think fit, you go to said infants if they
 cannot conveniently come to you, and assign and appoint a guardian to said
 infants and take the answer of said infants to the said Bill, on such guardian's

corporal oath or affirmation by you. The said answer being distinctly and clearly, and when you shall have taken said answers, you are to send the same close under your hand and seal together with your certificate of your having assigned such guardian as aforesaid and this writ into the said court.

Witness the Hon. Jno. W. Robinson Judge of said court the sixth day of Nov. in the year 1865.

Signed the 8th day of November 1865 Samuel E. Dyott, clerk.

Whereupon James Wooters Esquire the Commissioner named in the aforesaid Commission makes return of the execution thereof in the manner and words following, to wit: -

To the Honorable John W. Robinson Judge of the Circuit Court of Queen Anne's County

The Subscriber being the Commissioner named in the annexed Commission, hereby certifies that in execution of the powers vested in me, I did on the eighth and fifteenth days of November 1865, at the Hotel of F. B. Merritt where the infants named in said Commission then were, and then and there assigned and appointed William W. Johnson of Queen Anne's County, guardian to said infants, and took the answers of the said infants by their said guardian, and under the oath of said guardian, by me administered to the Bill of Complaint in said Commission mentioned, which said answer with said Commission is herewith returned closed under my hand and seal this 15th day of November 1865.

James Wooters, Comr. Seal

The Answer of Ellen Sophia Tolson and Sarah Seabella Tolson infants under the age of twenty one years, by William W. Johnson their Guardian to the Bill of Complaint in this Commission mentioned.

These Defendants answering by their Guardian aforesaid, to the said Bill of Complaint, say, they do not admit any of the matters and things alleged in the said Bill, and being infants of tender years submit their rights to the protection of this court.

W. W. Johnson, Guardian

On this 15th day of November 1865. the above named William W. Johnson appeared before me Commissioner, and made Oath on the Holy Evangelly of almighty God, that the matters and things stated in the foregoing answer are true to the best of his knowledge and belief.

James Wooters, Comr.

Whereupon Commission was issued in the form following, to wit

Queen Anne's County, to wit: The State of Maryland To James Wooters Esquire of Queen Anne's County, Greeting: Be it known that you

Seal
Circuit Court
Queen Anne's County
are appointed Commissioner to examine evidences in a cause depending in the Circuit Court for Queen Anne's County between Sophia Smith & William D. Smith the next friend of Ellen Sophia Tolson & Sarah Seabella Tolson, Complainants, and James W. Smith, Anna M. Smith his wife, Ellen Sophia Tolson, James P. Tolson & Sarah Seabella Tolson Respondents, you are therefore hereby required, having first taken the Oath hereto annexed and also administered the annexed Oath to the person whom you shall appoint as clerk to attend the execution of this Commission, that at such time and place as to you shall seem convenient you cause to come before you all such evidences as shall be named

in the Bill of Complaint in this Commission mentioned.

and produced to you, by either Complainants or Respondents, and that you examine them on their corporal Oaths to be by you administered upon the Holy Evangelij of Almighty God touching their knowledge or remembrance of anything that may relate to the cause aforesaid And that you cause notice to be given to the parties or their Solicitors of the execution of this Commission before you execute the same, and having reduced the depositions of the witnesses as taken by you, into writing, you send the same with this Commission, closed under your hand and seal to the said Circuit Court with all convenient speed. Witness the Hon. Jno. W. Robinson Judge of the said Court the 6th day of Nov. A. D. 1865.

Dee'd the 15th day of Nov. A. D. 1865.

Samuel E. Dyott, Clerk,

Commissioners Oath

You James Wooters shall according to the best of your skill and knowledge, truly, faithfully and without partiality to any or either of the parties in this cause, take the examinations and depositions of all and every the witnesses produced and examined by virtue of the Commission hereto annexed upon the interrogatories, now, or which may hereafter before the said Commission is closed be produced to and left with you, by either of the said parties.

Sworn before

A. W. Arlett J. P.

Clerk's Oath

You shall truly, faithfully and without partiality to any or either of the parties in this cause take write down and transcribe the depositions of all and every the witnesses produced before, and examined by the Commissioners named in the Commission hereto annexed, as far forth as you are directed and employed by the said Commissioners to take, write down and transcribe the said depositions or any of them,

So Help you God

Sworn before.

Therefore James Wooters Esq. the Commissioner named in the foregoing Commission makes return of the execution thereof in the manner following, to wit:—

Sophia Smith, William D. Smith
the next friend of Ellen Sophia Solson
& Sarah Isabella Solson.

vs

James W. Smith, Anna M. Smith, his
wife, Ellen Sophia Solson, James
D. Solson, Sarah Isabella Solson

Bill on the Equity side Circuit
Court for Queen Anne's County

Commission to take Testimony

Interrogatories to witnesses produced on the part of Complainants,
First, Do you or not know the parties Complainants and Defendants, in the title to these Interrogatories named, If you know how long have you known them,
Second, Were you or not acquainted with James W. Smith late of Kent County;
Is he or not deceased; Did he or not leave a widow and children and heirs at law; If you name them; Is or not one of the children deceased, leaving a husband surviving and issue; if you state who they are or whether the said children are infants;
Third, Are you or not acquainted with a farm or plantation in Queen Anne's County

laid off as the dower of the said Sophia Smith, which was a part of the real estate of said James H. Smith; Of year where is said farm situated, what is about its contents and condition and whose lands does it adjoin; Also woodlot seized with said farm as part of her dower;

Fourth, Would it or not be to the interest and advantage of the said heirs and persons entitled to the said real estate, if the tenant in Dower consented, and of the said two infant children, Ellen Sophia Tolson and Sarah Seabella Tolson, that the said real estate should now be sold, and the proceeds of sale distributed according to their respective interests, and the minors proportions invested for them on some good and safe security, and is or not said real estate as a Dower estate, likely to continue to depreciate in value and not be improved.

George Pickers
Sol. for Comptts.

To the Honorable John M. Robinson Judge of the Circuit Court for Queen Anne's County.

At the execution of the annexed commission issued out of the Circuit Court for Queen Anne's County, and to me directed empowering me to examine evidences in a cause depending in the said Court wherein Sophia Smith and William D. Smith next friend of Ellen Sophia Tolson and Sarah Seabella Tolson are Complainants, and James W. Smith and others are Respondents, & James Waters, Commissioner therein named, having taken the Oath annexed to said commission, did, at Centerville, on the 21st day of November 1865. the usual notice being waived proceed to take the following depositions.

James P. Dudley a witness of lawful age, produced and examined on the part of the Complainants, being duly sworn deposes and says,

To the first interrogatory, that he knows all the parties and has known ^{them} for a number of years.

To the second interrogatory, he was acquainted with James H. Smith late of Kent County, who is now deceased, leaving a widow Sophia Smith, and children, Michael, Sally Tolson, now dead, James W. William D. Smith his children and heirs at law - Sally Tolson one of the said children is dead, leaving James P. Tolson her husband and Ellen Sophia and Sarah Seabella Tolson surviving her, and said children are infants

To the third, interrogatory, he is acquainted with said farm, situate in the neighborhood of Church Hill, containing from 150. to 200 acres of land, in bad condition and adjoining lands of Samuel Sperry and Samuel Leacy's heirs and Samuel Rochesters heirs, He also knows the wood lot used with said farm.

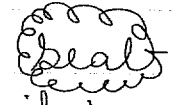
To the fourth interrogatory, it would be to the interest and advantage of the said heirs and persons entitled to the said real estate, if the tenant in Dower consents, and of the said two infant children Ellen Sophia, and Sarah Seabella Tolson, that the said real estate should now be sold, and the proceeds of sale distributed according to their respective interests, and the minors proportions invested for them; and said real estate as a Dower estate is likely to continue to depreciate in value and not be improved. The interest of the minors would be something for their support in the event of a sale, while now they receive nothing from said real estate, and to that extent they would be benefitted - Deponent supposes said land to be worth about three thousand dollars.

Jas. P. Dudley.

Richard Anderson, a witness of lawful age, produced and examined on the part of the complainants, being duly sworn deposes and says. To the first interrogatory, that he knows all the parties. To the second interrogatory, he did not know James H. Smith, but knew his children by reputation, as they are named by James P. Dudley, that one of said children Sarah Elizabeth, intermarried with James B. Tolson, Mrs Tolson is dead leaving her husband, and children Ellen Sophia and Sarah Isabella Tolson infants, surviving her. To the third and fourth interrogatories, deponent says, that having heard the answers of James P. Dudley to said interrogatories, he adopts said answers as his own, except as to acknowledge of the wood lot refered to deponent further says, that the buildings on the farm are deprecating and fencing is very indifferent, and the farm is not in as good condition now as it was years ago.

Richard Anderson

There being no other witnesses to be examined and neither party desiring further time for the production of evidences, the commissioners closed the said commission and herewith returns the same under his hand and seal, this 21st day of November 1865.

James Wothers, 
Commissioner

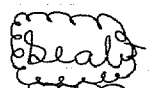
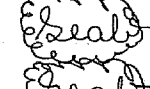
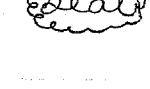
Costs.
Commissioners \$ 4.10
Witnesses 1.50
\$ 5.60

Queen Anne's County, to wit: - Be it remembered that on the third day of January in the year of our Lord one thousand eight hundred and sixty two, the following deed was brought to be recorded to wit: -

This deed, made this fourth day of November in the year of our Lord one thousand, eight hundred and sixty one by Michael Smith, Samuel G. Smith & William D. Smith, all of Queen Anne's County in the State of Maryland, witnesses that in consideration of the sum of fifteen hundred dollars to them in hand paid by James H. Smith, the receipt whereof they do hereby acknowledge, the said Michael Smith, Samuel G. Smith & William D. Smith do grant, bargain and sell unto the said James H. Smith, all that certain farm or tract of land situated in Queen Anne's County, State of Maryland lying on the South side of the main road leading from Millington to Church Hill and adjoining the lands of the late Frances W. Rochester and others, containing about two hundred and seven acres of land be the same more or less, and the said Michael Smith, Samuel G. Smith and William D. Smith covenant that they will warrant and defend generally the property herein conveyed against the claims of all persons claiming under them and against the claims of all persons whomsoever.

In testimony whereof they have herunto subscribed their names and affixed their seals this day and year first herein above written.

Attest:
John Boyer
Robert Hooker

Michael Smith 
Samuel G. Smith 
Wm. D. Smith 

Maryland, Queen Anne's County, to wit:

On this fourth day of November 1861. personally appeared Michael Smith, Samuel G. Smith and William D. Smith before the subscribed a Justice of the Peace in and for the County and State of aforesaid, and acknowledged the foregoing deed to be their respective acts.

Robert Booker.

True copy taken from Liber No. B. No. 2, folio 29. one of the land record books for Queen Anne's County.

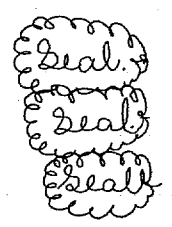
Test: Saml. E. Dyott, Clerk.

Whereupon George Bickers, Esquire, The Trustee named in the aforesaid decree filed in Court here his bond in the words following, to wit:-

Know all men by these presents, that we George Bickers, Samuel W. Spencer and Richard Heynem of Kent County in the State of Maryland, are held and firmly bound unto the State of Maryland, in the sum of six thousand dollars current money to be paid to the State of Maryland, or its certain Attorney; to which payment well and truly to be made and done, we bind ourselves and each of us, our heirs, executors, and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this first day of December in the year eighteen hundred and sixty five, Whereas, by a decree of the Circuit Court for Queen Anne's County, sitting as a Court of Equity, bearing date on the twenty fourth day of November, in the year eighteen hundred and sixty five and passed in a cause in the said Court, wherein, Sophia Smith and others are complainants, and James W. Smith and others are defendants, the above bound George Bickers has been appointed Trustee to make sale of certain real estate in the proceedings in said cause mentioned. Now the condition of the above obligation is such, that if the above bound George Bickers do and shall, well and faithfully perform the trust reposed in him by said Decree, or that may be reposed in him by any future Decree or order in the premises, then the above obligation to be void; otherwise, to remain in full force and virtue in law.

Signed, sealed, and delivered, in the presence of John O. Day

George Bickers
S. W. Spencer
Richd. Heynem



On the back of the foregoing was thus endorsed, to wit:

The within Bond approved and filed Dec. 2nd 1865.

Samuel E. Dyott, Clerk.

Whereupon further process of and upon the premises aforesaid is further continued from term to term of said Court until the fourth Monday of July, in the year eighteen hundred and sixty six at which said day comes into Court here as well the said Sophia Smith, William D. Smith next friend of Ellen Sophia Tolson and Sarah Seabella Tolson by George Bickers Esq. their Solicitor and the said James W. Smith and Anna M. Smith, his wife, Ellen Sophia Tolson, James B. Tolson and Sarah Seabella Tolson, by Philemon B. Hooper Esquire their Solicitor, Whereupon the following affidavit was filed, to wit:-

Maryland, Queen Anne's County, to wit:

On this eighteenth day of Aug. 1866. personally appeared Geo. W. Foster of Queen Anne's County before me the subscribed a Justice of the Peace for Kent County and made oath on the Holy Evangelical of Almighty God that he is well acquainted with Sophia Smith widow of James W. Smith formerly Sophia Kolder,

and has known her for many years, and that he believes she is between sixty and seventy years of age and is in fair ordinary health.
Sworn before
Jas. R. Dill J. P.

Whereupon the following assignment was filed, to wit:
Sophia Smith, William D. Smith
next friend of Ellen Sophia Solon
and Sarah Isabella Solon.
VS
James W. Smith, Anna M. Smith,
his wife, and others.
On the Equity side of the Circuit Court
for Queen Anne's County.
November Term 1865.
Decree for Sale,

For value received, I hereby assign, transfer and set over to James W. Smith of Queen Anne's County, all my right, title, interest, and estate, of, in and to the real estate mentioned and Decreed to be sold in the above case and in the proceedings therein, and also, all my right, title, interest and estate, in and to the proceeds of sale of said lands to be made by George Bickers, Trustee, appointed by the said Decree; and I hereby authorize and request the Circuit Court of Queen Anne's County in Equity and the Auditor of said Court, to assign, allot and award my proportion of the proceeds of sale aforesaid to the said James W. Smith. & the said Sophia Smith was sixty years of age in March Eighteen Hundred and sixty six

Witness my hand and seal this first day of January Eighteen hundred and sixty six.
Signed, sealed, and delivered }
in the presence of, }
Jas. R. Dill

Sophia Smith Seal

The State of Maryland, Queen Anne's County, to wit:
Be it remembered, that on this eighteenth day of Aug. in the year Eighteen Hundred and sixty six, personally appeared Sophia Smith of Queen Anne's County aforesaid, and the party to the within assignment or instrument of writing, before me the subscriber a Justice of the Peace of the State of Maryland in and for Queen Anne's County, and acknowledged the within and foregoing assignment, transfer and conveyance and instrument of writing to be her act and deed, according to the purport, true intent and meaning thereof and the acts of assembly in such cases made and provided.
Acknowledged before and certified by
Jas. R. Dill J. P.

Whereupon George Bickers Esquire, the Trustee name in the aforesaid Decree files in Court here his Report of Sales in the words following, to wit:
Sophia Smith, William D. Smith
& others
Against
James W. Smith & others
To the Honorable the Circuit Court for Queen Anne's County as a Court of Equity.
The Report of George Bickers Trustee appointed by the Decree in this cause, to make sale of certain real estate of James W. Smith's heirs therein mentioned, shows; that after giving Bond with security for the faithful discharge of his trust

as required by the said Decree, and giving notice of the time place, manner and terms of sale by advertisements in the Observer, a newspaper printed and published in Centerville in Queen Anne's County for more than three successive weeks before the day of sale, and by hand bills circulated and posted in various public places in said County and in Kent County, he did pursuant to said notice, attend at the Tavern or Hotel of George Finley in Church Hill in Queen Anne's County, on the fourteenth day of July in the year eighteen hundred and sixty six, according to said notice, and then and there proceeded to sell said real estate as follows to wit: Your Trustee offered at public sale to the highest bidder a farm, tract, or parcel of land in Queen Anne's County, being parts of tracts of land called "Waters Adventure", "Savage's Range" "Addition", "Waters Out Range", "Leollin's Lot" and "Ashton" and commonly called "The Church Hill Farm", containing two hundred and seven acres and two perches, as described by courses and distances in a plot and certificate returned by the Commissioners to divide the real estate of James H. Smith under the act to direct descents, on the Petition of Michael Smith and laid down as the Dower of Sophia Smith the widow of James H. Smith and described as part No. 1. (except the wood lot of twenty three acres, three rods and eighteen perches which was not sold) and sold the same to John Whittington of Kent County, he being then and there the highest bidder therefor, at and for the sum of Twenty two dollars and fifty cents per acre, amounting in the whole to the sum of Four thousand six hundred and sixty nine dollars and he has since taken the Bond of the said John Whittington with James Spear his surety for the payment (less one hundred dollars, which was paid to the Trustee on the day of sale) payable in three equal installments, in six, twelve and eighteen months from the said fourteenth day of July eighteen hundred and sixty six with interest from the first day of January eighteen hundred and sixty seven.

The said land was sold by your Trustee clear of the Dower or life estate of Sophia Smith, the widow of James H. Smith deceased, the Trustee being informed that she would relinquish her interest in the said land and take a proportion of the purchase money in lieu thereof; and he now reports the written agreement of the said Sophia Smith to that effect and transferring her proportion of the proceeds of sale to James W. Smith one of the Defendants as per paper marked Exhibit D. S. and prayed to be taken as a part of this Report, will appear; The Trustee also reports an affidavit of the age of the said Sophia Smith marked S. and prayed to be taken as a part of this Report. The Trustee advertised the said land at public sale to the highest bidder in the manner and place aforesaid, the sale to have taken place on Saturday the 30th December 1865, but the weather on that day was so very inclement that he declined attending at the risk of his health and understood afterwards that no one attended with a view to purchase, the Trustee reports the amount of sales to be \$4669.00

George Bickers, Trustee,

Maryland, Kent County, Oct:-

On this twenty first day of September 1866. personally appeared George Bickers the Trustee above named, before the subscribed a Justice of the Peace for Kent County, aforesaid and made Oath on the Holy Evangelists of Almighty God that the matters and things stated in the within and aforesaid Report are true as stated, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Sworn before

James Graves

W.S.
 John B. Reeves
 J. P.
 Sept 21 1866
 .05
 cents

State of Maryland, Kent County, &c.

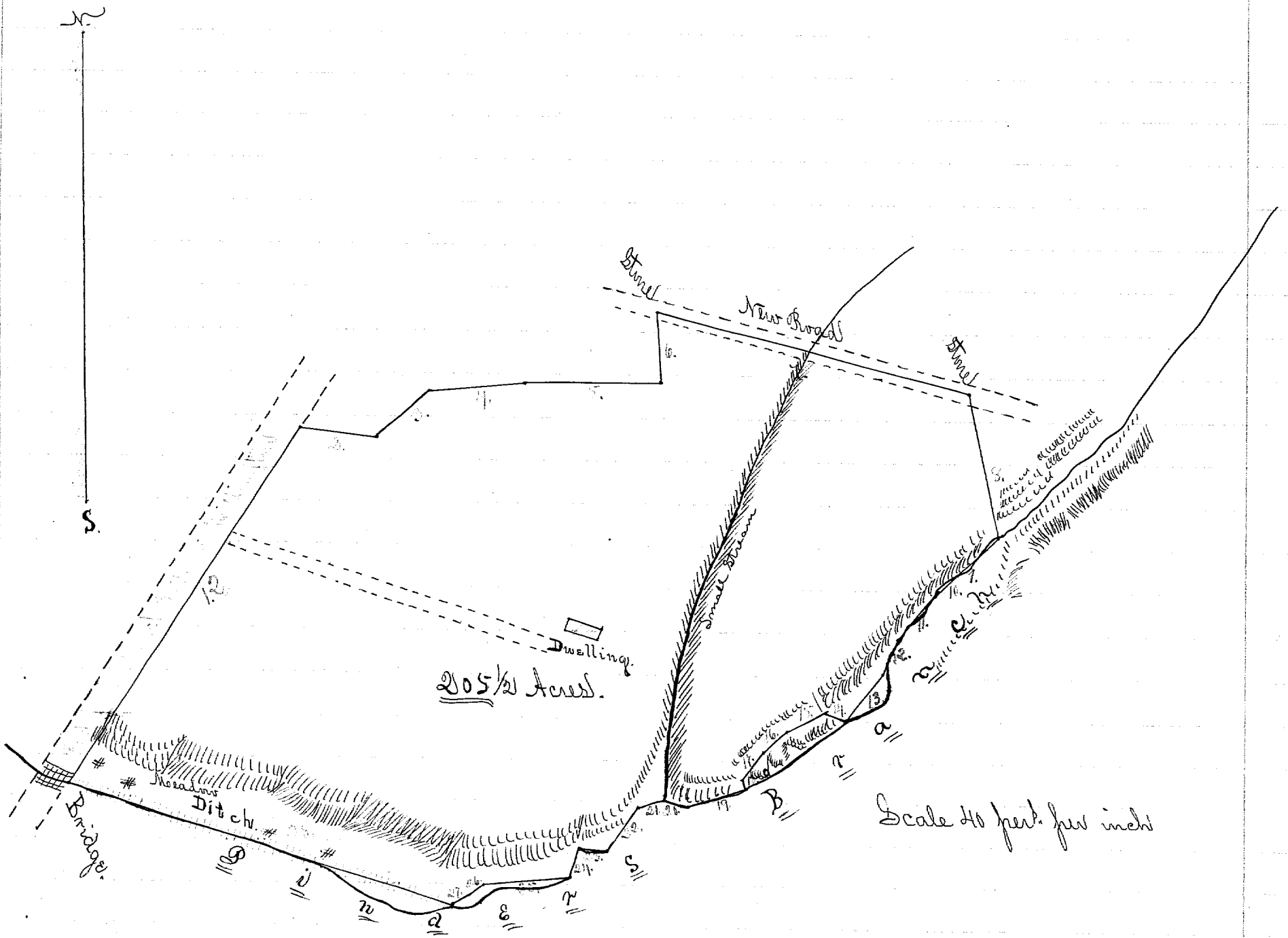
I hereby certify, that James Graves Esq. before whom the annexed affidavit was made, was at the time of so doing one of the Justices of the Peace of the State of Maryland, in and for the fourth Election District of Kent County, duly commissioned and qualified according to law.

Seal
Kent
County
Scriber
Seal

In Testimony Whereof, I hereto subscribe my name and affix the Seal of the Circuit Court for Kent County, this 21st day of September A. D. 1866.

W.D.
Enter Given
S. R. P.
Sept 21. 1866
- 05 -
cents.

J. K. Glenn, Clerk.



George Bickers Trustee }
 to }
 John Whittington } All that track of land in Queen Anne's Co. lying on the
 S. E. side of the Public road leading from Church Hill to
 Meilington. Beginning on the S. E. side of the road

leading from Church Hill to Meilington at the Bridge leading over Pinders Branch, and runnin thence with said road,

- 1st. N. 34 1/4° E. 129 P₂ 2nd. S. 83° E. 23.40 perches = 3rd. N. 49 1/2° E. 22.20 perches
- 4th. N. 87° E. = 29.20 p₂ = 5th. East = 41.72 p₂. 6th. N. 2 1/2° W. = 21.32 p₂, to a stone
 in centre of new road. 7th. S. 75° E. 103 p₂, to a stone in centre of road.
- 8th. S. 11° E. = 44.80 p₂ to Pinders Branch,
- 9th. S. 45° W. = 14 p₂ with " "
- 10th. S. 50 1/2° W. = 10.44 p₂ " " "
- 11th. S. 42° W. = 17.41 " " "
- 12. S. 22 1/2° W. = 11.42 " " "
- 13. S. 38 1/2° W. = 18. " " "
- 14. N. 71 1/2° W. = 6.64 p₂ leaving " "
- 15. S. 66° W. = 12 p₂
- 16. S. 46 1/4° W. = 9.44 p₂
- 17. S. 39 1/4° W. = 10. p₂
- 18. S. 35 1/2° E. = 2.52 p₂ to the Branch
- 19. S. 72 1/2° W. = 18 p₂ with " "
- 20. N. 73 1/4° W. = 7 p₂ " " "
- 21. S. 74 3/4° W. = 8.20 p₂ " " "
- 22. S. 33 3/4° W. = 16 p₂ " " "
- 23. S. 83 3/4° W. = 9.50 p₂ " " "
- 24. S. 15 1/2° W. = 8.28 " " "
- 25. S. 84 3/4° W. = 26.20 " " "
- 26. S. 57° W. = 5 p₂ " " "
- 27. S. 6.7° W. = 6 p₂ to mouth of Ditch
- 28. N. 71° W. = 12.4 " with the Ditch to the Beginning, cont. 205. A. S. P.

G. J. Mapey, S. S.
 January 1867.

Therefore the court passed the following Order, to wit:

In the circuit court for Queen Anne's County,
 Sophia Smith, William S. Smith, & others }
 vs }
 James W. Smith & others }

September 22^d. 1866.

Ordered by me S. E. Dyott, clerk of the circuit court for Queen Anne's County,
 that the sale of the real estate in the above case, reported by George Bickers, Trustee,
 be ratified and confirmed unless cause to the contrary thereof be shown to
 the said court on or before the thirtieth day of November next, provided a
 copy of this Order be inserted in some newspaper printed in Centreville Queen
 Anne's County once in each of three successive weeks before the thirtieth day
 of October next.

The Report states the amount of Sales to be \$ 4669.00

Samuel E. Dyott, clerk,

Whereupon further process of and upon the premises aforesaid is further continued from term to term of said court until the first mowday of May in the year Eighteen Hundred and sixty seven at which said day comes into court here as well the said Sophia Smith, William D. Smith next friend of Ellen Sophia Tolson and Sarah Seabella Tolson by George Bickers Esquire, their Solicitor and the said James W. Smith and Anna M. Smith, his wife, Ellen Sophia Tolson, James P. Tolson and Sarah Seabella Tolson by Philemon B. Hoopes Esquire their Solicitor. Thereupon the court passed the following order, to wit:-

Sophia Smith & others }
vs }
James W. Smith & others } In the circuit court for Queen Anne's
county as a court of Equity.
May 7. 1867.

Ordered that the sale within reported by George Bickers, Trustee, be and the same is hereby ratified and confirmed, no cause to the contrary having been shown, although notice appears to have been given as directed by the preceding Order. The Trustee is allowed for commission the sum of \$231.76 and for his expenses when the Bills shall be filed.

Jno. W. Robinson

Thereupon Philemon B. Hoopes Esquire the Auditor, files in court here his Report in the form and words following, to wit:-

Sophia Smith, Wm. D. Smith }
the next friend &c }
vs }
James W. Smith } In the circuit court for Queen Anne's
county as a court of Equity.
To the Hon. J. W. Robinson, Judge.

The Auditor respectfully reports that he has examined the proceedings in this cause and has therefrom prepared the following account between the real estate mentioned and George M. Bickers Esq. Trustee for the sale thereof in which he has allowed to the Trustee his commissions fixed by the court and his expenses, to the complainants and Defendants each their costs of suit and to the Auditor his fee, the balance he distributed as follows, to Sophia Smith widow, who had a life estate, she having been assigned the whole farm as her dower in all of her deceased husbands estate, the three tenths of the nett proceeds which is endorsed to the use of James W. Smith according to the terms of assignment filed. The balance was divided into five equal parts for the five heirs or their representatives who were alive at the time of the filing of the bill one part of which was given respectively to Michael, Wm. D. James N. and Samuel George, the other part being that of Sarah Elizabeth Tolson deceased, I first ascertained the curtesy right of James P. Tolson therein and assigned the same to him and the residue thereof I divided equally between her only two heirs at law who survived her. The shares of Michael, Wm. D. and Samuel George I have endorsed to use of James W. Smith, they having conveyed their interests to him by deed dated 4 Nov. 1864 recorded in Liber W. P. No. 2. folio 29 one of the land records of Queen Anne's county.

All of which is submitted

P. B. Hoopes, Auditor,
July 5. 1867.

The Real Estate of James H. Smith in acct with George Bickus Esquire
 Trustee for the Sale thereof.

1866 July 14	To the Trustee for his commissions			231	76
	To " " for his expenses			83	90
	To the complainants for their costs of suit viz:				
	Solicitor	20	00		
	Saml. E. Dyott, clerk	29	55		
	Wm. F. Ford Sheriff of Queen Anne's co.	1	35		
	D. W. Coles Sheriff of Kent County		90		
	D. E. Dyott clerk for Exhibits		35		
	Jesse H. Herrie clerk of Kent County for Exhibits	4	50		
	James Woters commr. to assign Guardian	4	00		
	James Woters commr. to take testimony	4	10		
	James P. Dudley, Witness		75		
	Richard Anderson, Witness		75	66	25
	To the Defendants for their costs, viz:				
	D. E. Dyott, clerk	8	90	8	90
	To the Auditor for stating acct &c.			4	50
	The balance to be distributed will give as fol.			395	31
	To Sophia Smith widow, for her life estate } use of James W. Smith alias of assignee }			1282	08
	To Michael Smith an heir use James W. Smith			598	32 1/5
	To Wm. S. Smith " " use James W. Smith			598	32 1/5
	To James W. Smith " "			598	32 1/5
	To Samuel George Smith an heir use James W. Smith			598	32 1/5
	To James H. Tolson for his entree in the share } of his deceased wife Sarah Elizabeth who was an heir }			235	32 1/5
	To Ellen Sophia Tolson daughter of said Sarah } Elizabeth one half of residue of her share }			181	50
	To Sarah Isabella Tolson daughter of said Sarah } Elizabeth one half of residue of her share }			181	50
				<u>\$4669</u>	<u>00</u>

1866. July 14	By amount of proceeds of sale as per Trustee's Report } of same filed			Dolls	Cts
				4669	00
				<u>\$4669</u>	<u>00</u>

D. B. Hopper, Auditor
 July 5, 1867

Whereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of July next at which said fourth Monday of July in the year Eighteen hundred and sixty seven, comes into court here as well the said Sophia Smith, William D. Smith next friend of Ellen Sophia Tolson and Sarah Isabella Tolson by George Vickers Esquire, their Solicitor aforesaid and the said James W. Smith and Anna M. Smith, his wife, Ellen Sophia Tolson, James P. Tolson and Sarah Isabella Tolson by Philemon P. Hoopes Esquire their Solicitor aforesaid, Thereupon the court passed the following Order, to wit:

Ordered this 30th day of July 1867. that the within Auditors Report be and is ratified and confirmed - and the Trustee is directed to pay over the funds accordingly.

Jno. M. Robinson

Charles McAllister

vs

James Barrsin Hawley, Ezekiel P. Hawley, James Wells, Serena Wells, John Wesley Sherwood, Susanna W. Start John Start, Lucretia Sherwood, Benjamin Sherwood, Josephine Sherwood heirs at Law of Mary Hawley and Washington Finley, Adm^{rs}. of Mary Hawley.

Be it remembered that on the eighteenth day of April in the year of our Lord one thousand eight hundred and fifty seven, Charles McAllister by Philemon P. Hoopes Esqr. his Solicitor files in court here his Bill of Complaint against James Barrsin Hawley, Ezekiel P. Hawley, James Wells, Serena Wells, John Wesley Sherwood, Susanna W. Start, John Start, Lucre-

tia Sherwood, Benjamin Sherwood, Josephine Sherwood heirs at Law of Mary Hawley and Washington Finley administrators of Mary Hawley. in the words following, to wit:-

To the Honorable P. P. Hoopes Judge of the Circuit Court for Queen Anne's County sitting as a Court of Equity.

The Bill of Complaint of Charles McAllister of Queen Anne's County, who sues as well for himself as all other creditors of Mary Hawley late of said County deceased, who will come in and contribute to the expenses of this suit, humbly shews, that the said Mary Hawley was in her life time indebted unto your Orator in the sum of Two Hundred dollars with interest from the first day of January Eighteen hundred and fifty four on single bill as will appear by said single herewith filed and which is prayed to be taken as a part of this your Orator's Bill of Complaint, on which there have been made certain payments thereon endorsed. And your Orator further charges that the said Mary Hawley being indebted as aforesaid unto your Orator and also unto divers other persons in large

sums of money, and having real and personal estate of considerable value, departed this life in the year Eighteen Hundred and fifty intestate, and leaving James Hoarison Shawley, Ezekiel P. Shawley Serena Wells wife of James Wells her children and John Wesley Sherwood, Susanna Amanda Sherwood who is intermarried with John Stark, Lucretia Sherwood, Benjamin Sherwood and Josephine Sherwood who are children of Susanna Sherwood deceased her grandchildren all of whom are heirs at law of the said Mary Shawley, of whom the said Lucretia, Benjamin and Josephine are infants under the age of twenty one years.

And your Orator further charges that administration of all and singular the personal estate of the said Mary Shawley hath been granted by the Orphans Court of Queen Anne's County unto one Dr. Washington Farley of said County, who in virtue thereof has possessed himself of said personal estate of considerable value: but your Orator is informed and believes and so charges, that the same is not sufficient to discharge all the debts due and owing by the said intestate at the time of her death, and your Orator is advised, that after the application of the said personal estate in the hands of the said administrator is made to costs and charges of administration and the claim of your Orator and of other creditors of the said Mary Shawley so far forth as the same will extend; the deficiency in the said personal estate for said purposes ought to be supplied by a sale of the real estate of the aforesaid debtor. Your Orator further charges that the Real Estate of the said Mary Shawley consists of a part of tract of land containing about twenty acres conveyed by one Samuel B. Meridith to the said Mary Shawley by deed dated sixteenth October eighteen hundred and fifty four duly executed and recorded in Liber J. P. No. 2 folios 204 & 205, one of the land record books of Queen Anne's County and another part of a tract of land adjoining the same containing about fifty acres of land sold by your Orator to the said Mary Shawley, but which has not been conveyed, because the same has not yet been paid for in full, the aforesaid single bill due your Orator being for a part of the purchase money due on said sale.

To the end therefore that the defendants herein after named may answer the several matters and things herein set forth as fully and particularly as if the same were herein again repeated and they were hereunto specially interrogated; and that an account may be taken of the personal estate of the said Mary Shawley so see the deficiency in the payment of her debts and that the aforesaid real estate may be decreed to be sold, (or so much thereof as shall be necessary for the purpose,) for the payment of so much of the debts of the said Mary Shawley as may remain unsatisfied after the application of the personal estate thereto, and that your Orator may have such further or other relief as his case may require.

May it please your Honor to grant unto your Orator the writ of Subpoena against the said James Hoarison Shawley, Ezekiel P. Shawley James Wells, Serena Wells, John Wesley Sherwood, Susanna Amanda Stark, John Stark, Lucretia Sherwood, Benjamin Sherwood, Josephine Sherwood and Washington Farley Adm^r. of Mary Shawley all of Queen Anne's County Commanding them to appear in this Court at some certain day to be therein named, to answer the premises and abide by and perform such decree as may be passed therein, and as in duty bound &c.

D. J. Kopper Jr.
Sol. for Complainants

Therefore Subpoena was issued in the words following, to wit:—

The State of Maryland, &c. Queen Anne's County, to wit: - To James Harrison Thawley, Ezekiel P. Thawley, James Wells, Serena Wells, John Wesley Sherwood, Susanna A. Start, John Start, Lucretia Sherwood, Benjamin Sherwood, Josephine Sherwood late of Queen Anne's County, heirs at law of Mary Thawley, and Washington Finley late of said County administrators of said Mary Thawley: greeting: you are hereby commanded to be and appear before the Circuit Court for Queen Anne's County, as a Court of Equity, to be held at Centerville in and for said County on the first Monday of May next, to answer the Bill of Complaint exhibited in said Court by Charles McColister against you - Hereof fail not at your peril, as you will answer the contrary at your peril; Witness the Honorable Philemon P. Goepper Judge of said Court the 26th January in the year Eighteen Hundred and fifty six, Dated the 18th day of April 1857.

John Palmer, Clerk,

And afterwards, to wit: on the fourth day of May in the year Eighteen Hundred and fifty seven, A. W. Duhamel Esquire the Sheriff of Queen Anne's County to whom the aforesaid Subpoena was delivered, makes return of the same thus endorsed, to wit:

Summoned

A. W. Duhamel, Shff.

Whereupon the following answer was filed, to wit: -

The joint and several answers of James Wells and Serena Wells, his wife, and of James Harrison Thawley to the Bill of Complaint of Charles McColister against them and others exhibited in Queen Anne's County Circuit Court sitting in Equity.

These Defendants answering say, that they have heretofore released all their interest and estate in the lands and premises mentioned in said Bill of Complaint to Ezekiel Thawley one of the co-defendants in this cause, and hence consider that they can neither admit or deny any of the matters contained in said Bill of Complaint.

Therefore they pray to be hence dismissed with their reasonable costs &c.

Witness to James H. Thawley's and James Wells's signatures
James C. Walters
Witness, C. J. Clark

James H. Thawley
James Wells
Maranda ^{her} Wells
mark

It is agreed that the above answers be taken & filed without Oath.

P. P. Goepper Jr. Sol. for Comptee
Jno. M. Robinson, Sol. for Defts.

Whereupon Commission was issued in the following words, to wit: -

State of Maryland, &c. Queen Anne's County to wit: - To Pere F. S. Blake of Queen Anne's County: greeting: Whereas Charles McColister has lately filed his Bill of Complaint against James Harrison Thawley, Ezekiel P. Thawley, Serena Wells, wife of James Wells, John Wesley Sherwood, Susanna Annanda Start wife of John Start Lucretia Sherwood, Benjamin Sherwood, Josephine Sherwood and Washington Finley Administrators of Mary Thawley, in Queen Anne's County Court sitting as a Court of Equity: And whereas the said Court has commanded the said parties to appear before the said Court at a certain day

now past to answer the said Bill, but for as much as the said Lucretia Sherwood, Benjamin Sherwood and Josephine Sherwood are infants under age and cannot answer the said Bill or defend this suit, without having a guardian assigned for that purpose, Know you therefore that the said Court have given you full power and Authority to assign and appoint a guardian for said infants and take the answers of said infants by such guardian to the said Bill: Therefore you are hereby commanded that at such certain day and place as you shall think fit, you go to the said Lucretia Sherwood, Benjamin Sherwood and Josephine Sherwood, if they cannot conveniently come to you; and assign and appoint a guardian for such infants, and take their answer by such guardian, to the said Bill on such guardians personal Oath to be by you administered on the Holy Evangelical of Almighty God; the said answers being distinctly and plainly made, and when you shall have taken the said answers, you are to send the same with this Commission, closed under your hand and seal, with your certificate, certifying that you have assigned and appointed such guardian. Witness the Honorable Richard P. Barron, Richard Esquire Judge of said Court the third day of May in the year eighteen hundred and fifty eight.

Given the 5th day of August 1858. Madison Barron, Clerk.

Thereupon the following attachment was issued in the words to wit:

Queen Anne's County, to wit: The State of Maryland To the Sheriff of Queen Anne's County Greeting: You are hereby commanded to attach the bodies of John Wesley Sherwood, John Start and Susannah Amanda Start if they shall be found in your bailiwick and them safe keep so that you have their bodies before the Circuit Court for Queen Anne's County to be held at Centerville in and for said County as a Court of Chancery on the fourth Monday of January instant to answer unto the State of Maryland for a certain Contempt by you committed in not appearing to and answering the Bill of Complaint exhibited in said Court against you and others by Charles M. Colleton: Thereof fail not at your peril and have you then and there this writ: Witness the Honorable Richard P. Barron Esquire Judge of the said Court the first day of November in the year eighteen hundred and fifty eight.

Given the 23rd day of Jan'y 1859

M. Barron, Clerk.

Whereupon further process of and upon the premises aforesaid is further continued from term to term of said Court until the fourth Monday of January in the year eighteen hundred and fifty nine, at which said day comes into Court here as well the said Charles M. Colleton by P. P. Hoopes Esq. his Solicitor aforesaid and the said James Barron Hawley, Ezekiel P. Hawley, James Wells, Serena Wells, John Wesley Sherwood, Susanna W. Start, John Start, Lucretia Sherwood, Benjamin Sherwood, Josephine Sherwood, and Washington Finley by John M. Robinson Esq. their Solicitor aforesaid, Thereupon Edward Dudley Esquire the Sheriff of Queen Anne's County to whom the aforesaid attachment was delivered, makes return of the same thus endorsed to wit:-

Attached, Jno W. Sherwood & John Start
 Non est, Susanna Amanda Start

Edw^d Dudley, Shff.

Whereupon the following answers were filed, to wit:-

Charles McColister
vs
Washington Finley Adm^r.
of Mary Shawley, & others

} Circuit Court of Queen Anne's County, sitting
in Equity.

The answers of John W. Start and Susan Amanda Start his wife formerly Susan Amanda Sherwood to the Bill of Complaint of * * * * * in the Circuit Court of Queen Anne's County Exhibited. These defendants admit the several matters & things as charged in Bill of Complaint and submit to such Decree in the premises as may be right and proper.

John W. Start
Susan A. Start

It is agreed that the within answer shall be received & filed without affidavits of Defendants.

Jno. M. Robinson
Sol. for Defdts.
P. B. Hoepker
Sol. for Complaints.

Charles McColister
vs
Washington Finley Adm^r.
of Mary E. Shawley & others

} In the Circuit Court of Queen Anne's
Co. sitting in Equity:

The Answer of John Weeley Sherwood to the Bill of Complaint of Charles McColister against him & others in the Circuit Court of Queen Anne's County sitting in Equity Exhibited.

These Defendants admit the several matters & things as charged in Bill of Complaint to be true & submits to such decree as may be right & proper.

John W. Sherwood

It is agreed that above answer shall be taken & filed without affidavit of Defendants

Jno. M. Robinson
Sol for Complainant
P. B. Hoepker
Sol for Defdts.

Whereupon Pere J. J. Polake Esquire the Commissioner named in the afore recited Commission, makes return of the execution thereof in the words following, to wit:-

To the Honorable R. B. Carmichael Judge of the Circuit Court for Queen Anne's County in Equity.

The subscribed being the Commissioners named in the annexed Commission, hereby certify that in execution of the powers therein vested in me, I did on the six-th day of September in the year eighteen hundred and fifty eight proceed to the dwelling house of Benjamin Sherwood in Queen Anne's County, where the infants Lucretia, Benjamin & Josephine named in the Commission then were, and caused the said infants to be brought before me, and then and there in the presence of said infants assigned and appointed Benjamin Sherwood their father, & said County guardian to said infants, and took the answer of the said infants by their said guardian and under the Oath of said guardian by me administered, to the Bill of Complaint in said Commission mentioned, which said answer with said Commission is herewith returned closed under my

under my hand and seal this 16th April 1859. I also attended in pursuance of said authority the house of the said Benjamin on the tenth of August preceding for the same purpose, but not having been able to get all the infants together at that time, I again attended on sixth day of September as aforesaid.

J. F. J. Blake 

The joint and several answers of Lucretia Sherwood, Benjamin Sherwood, and Josephine Sherwood by Benjamin Sherwood their guardian to the Bill of Complaint of Charles McAllister against them and others exhibited in Queen Anne's County Circuit Court sitting as a Court of Equity.

These Defendants cannot admit any of the matters and things alleged in said bill and being infants of tender years submit themselves to the protection of this Court.
Benjamin Sherwood

On this six day of September 1858 the above named Benjamin Sherwood guardian appeared before me the Commissioner and made oath that the matters and things stated in the foregoing answer are true to the best of his knowledge and belief -

J. F. J. Blake.

Whereupon the following Answer was filed, to wit:-

The Answer of Ezekiel Hawley to the Bill of Complaint, of Charles McAllister against him & others in the Circuit Court of Queen Anne's County exhibited. This Defendant admits the several matters & things as charged in Bill of Complaint & submits to such decree as may be right in the premises.

Test.

J. A. P. Dudley

It is agreed that above answer shall be taken without affidavit.

Ezekiel ^{his} Hawley
mark

J. B. Hooper, Sol for Compt.
Jno M. Robinson
Sol for Defendants

Whereupon Commission was issued in the words following, to wit:-

State of Maryland, ss: Queen Anne's County, to wit: To John Palmer of
Seal Queen Anne's County: Gentleman: Greeting, Be it known that you
Circuit are appointed Commissioners to examine evidences in a matter
Court depending on the Equity side of the Circuit Court for Queen Anne's
County, between Charles McAllister, Complainant and James
Queen Anne's Harrison Hawley, Ezekiel P. Hawley, James Wells, Serena Wells
County his wife, John Wesley Sherwood, Susan A. Start John Start, Lucretia Sherwood, Benjamin Sherwood and Josephine Sherwood, Respondents; you are therefore hereby requested having first taken the oath herunto annexed, and also administered the annexed oath to the person whom you shall appoint a clerk to attend the execution of this Commission, that at such time and place as to you shall seem convenient, you cause to come before you all such evidences as shall be named and produced before you by either the Complainants or Respondents, and that you examine them upon their corporal oath to be by you administered upon the Holy Evangelists of Almighty God touching their knowledge or remembrance of any thing that may relate to the cause aforesaid, and that you cause notice to be given to the parties or their attorneys of the execution of this Commission before you execute the same, and having reduced the depositions of the witnesses so taken by

you into writing, you send the same with this commission, closed under your hand and seal to the said court with all convenient speed:

Witness the Honourable Richard P. Barnichall Esquire Judge of the said court the second day of May in the year eighteen hundred and fifty nine.

Spued the 31st day of June 1859.

Madison Brown, Clerk.

Commissioner's Oath.

You John Palmer shall according to the best of your skill and knowledge faithfully and without partiality to any or either of the parties taken the examinations and depositions of all and every witness and witnesses produced before you and examined by virtue of this commission, upon the interrogatories now or which may hereafter before the said commission is closed be produced to and left with you by either of the said parties, So helps you God.

Sworn Before

C. H. Keakley, J.P.

Clerk's Oath.

You George P. Keating shall truly and faithfully and without partiality to any or either of the parties in this cause take write down and transcribe the depositions of all and every the witness and witnesses produced before and examined by the commissioners named in the said commission, so far forth as you are directed and employed by the said commissioners to take, write down and transcribe the said depositions. So helps you God.

Sworn before

John Palmer

Commissioner

Whereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of July next at which said fourth Monday of July in the year eighteen hundred and fifty nine, comes into court here as well the said Charles McCallister by P. B. Gessner Esquire his Solicitor at law and the said James Harrison Hawley, Ezekiel P. Hawley, James Welle, Larena Welle, John Wesley Sherwood, Susanna W. Start, John Start, Lucretia Sherwood, Benjamin Sherwood, Josephine Sherwood, and Washington Triley by John M. Robinson Esquire their Solicitor aforesaid, Thereupon John Palmer Esquire the Commissioner named in the aforesaid commission, makes return of the execution thereof in the manner following, to wit: -

McCallister

vs

Hawley's Heirs

Interrogatories to be proposed to witnesses to be produced on the part of complainant.

No. 1. Are you or not acquainted with the parties to this suit, or either, and which of them, If yes, how long have you known them.

No. 2. Are you or not acquainted with the hand writing of Mary Hawley deceased. If yes, look at the paper now shown you; it being the note of said party to which your name is attached as a witness. Is or is not the signature Mary Hawley therein attached in the handwriting of said Hawley. State any circumstance within your knowledge which may lead you to the opinion that it is her handwriting.

No. 3. Is or is not the said Mary Hawley dead, if yes, state if you know, whom

she lif as her heirs at law.

J. B. Hooper, Sol. for Compts

To the Hon R. B. Carmichael Esquire Judge of the Circuit Court for Green Anne's County.

The undersigned respectfully returns to your Honor that by virtue of this commission he took the oath thereto annexed and also administered the annexed oath to J. P. Keating whom he appointed as clerk to attend the execution of said commission, he then proceeded to take the examination and deposition of Charles W. Weakley a witness produced on the part of the complainant upon his corporal oath administered on the Holy Evangelly. The Solicitors for complainant and Defendants being present, which deposition is herewith returned -

John Palmer, Commissioner

Expences attending the execution of this commission

John Palmer, Comr.	\$ 4.00	}
J. P. Keating, Clerk	2.66 ² / ₃	
C. W. Weakley, Witness	66 ² / ₃	
	<u>\$ 7.33 ¹/₃</u>	

Charles M. Colliester
 vs
 Thawley et al

In the Circuit Court for Green Anne's County
 sitting as a Court of Chancery.

Deposition of C. W. Weakley a witness produced on the part of complainant given this 2^d day of August 1859.

To the 1st Interrogatory he answers and says he knows the complainant, and James W. Thawley, Ezekiel Thawley, James Wells & Serena Wells & Washington Finley five of the defendants, and has known Dr. Finley all his life and has known Jas. W. Thawley, Ezekiel Thawley, Jas. Wells & Serena Wells ten or twelve years, the other Respondents he does not know.

To the 2^d Interrogatory he answers and says he is acquainted with the handwriting of Mary Thawley, and that the signature Mary Thawley to the note referred to in the Interrogatory is in the handwriting of said Mary Thawley, he remembers the circumstance of her coming into the store of deponent & signing the note in his presence.

To the 3^d Interrogatory he answers & says that the said Mary Thawley is dead - knows Jas. W. Thawley, Ezekiel Thawley, & Serena Wells to be her heirs at law - but does not know of any others.

Chas. W. Weakley

Therefore the following agreement was filed, to wit:

Charles M. Colliester
 vs
 Thawley's Heirs &
 her Admr.

In C. A. C. Civ Court sitting in Equity
 July 7. 1859.

It is agreed that the papers in the above cause be submitted to the Court without argument and for decree.

J. B. Hooper, Sol for
 Complainants
 Jno. M. Robinson
 Sol. for Defts

Whereupon the Court passed the following Decree, to wit:

Charles M. Collette	}	In Queen Anne's County Circuit Court sitting in Equity.
vs		
Thawley's Heirs & Admrs.	}	July Term 1859.

This cause standing for hearing and being submitted without argument, the proceedings were read and considered.

It is therefore this second day of August in the year eighteen hundred and fifty nine by R. P. Carmichael Judge, and by the Authority of this Court, adjudged, ordered and decreed, that the real estate of Mary Thawley deceased in the proceeding mentioned, or so much thereof as may be necessary for the payment of her debts, be sold. That P. P. Hoopes of Queen Anne's County be and he is hereby appointed Trustee; to make such sale: and that the course and manner of his proceeding shall be as follows: He shall first file in the Clerk's Office of Queen Anne's County, a bond to the State of Maryland, executed by himself, with a surety or sureties to be approved according to law, in the penalty of two thousand dollars, conditioned for the faithful performance of the trust reposed in him by this decree or which may be reposed in him by any future order or decree in the premises. He shall then proceed to make sale of the said premises having first given at least three weeks previous notice inserted in some newspaper printed in Queen Anne's County and such other notice as he may think proper of the time place manner and terms of sale; which term shall be as follows: The purchase money to be paid in equal instalments in six, twelve and eighteen months from the day of sale after deducting a cash payment of one hundred and fifty dollars the whole to bear interest from the day of sale and the payments thereof to be secured by the bonds of the purchaser with a surety or sureties to be approved by the Trustee.

And as soon as may be convenient after any such sale or sales the said Trustee shall return to this Court a full and particular account of the same with an affidavit of the truth thereof and of the fairness of such sale or sales annexed. And on the ratification of such sale or sales by the Court and on the payment of the whole purchase money (and not before) the said Trustee by a good and sufficient deed to be executed and acknowledged agreeably to law shall convey to the purchaser or purchasers of said property and to his, her, or their heirs the property to him, her or them sold free, clear and discharged of all claims of the parties to this cause and of any person or persons claiming by fraud or under them. And the said Trustee shall bring into this Court the money arising on such sale or sales and the bonds or notes which may be taken for the same to be disposed of under the direction of this Court after deducting therefrom the costs of this suit and such commission to the said Trustee as the Court shall think proper to allow on consideration of the skill, attention and fidelity, wherewith he shall appear to have discharged his trust.

Rich^d. Pth. Carmichael

Thereupon Philemon P. Hoopes Esq. the Trustee named in the foregoing Decree files in Court here his Bond in the words following, to wit:
Know all men by these presents that we P. P. Hoopes, W. D. Gibson & Daniel C. Hoopes, all of Queen Anne's County in the State of Maryland are held and firmly bound unto the State of Maryland in the full and

just sum of two thousand dollars current money to be paid to the said state of Maryland or its certain attorney; to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs executors and administrators, jointly and severally finally by these presents sealed with our seals and dated this 1st September in the year eighteen hundred and fifty nine. Whereas by a decree of the Circuit Court for Queen Anne's County sitting as a Court of Equity bearing date August the second in the year eighteen hundred and fifty nine and passed in a cause in the said court wherein Charles McColister is complainant and Ezekiel Thawley and others are defendants the above bound P. B. Hooper has been appointed trustee to make sale of certain real estate in the proceedings in said cause mentioned. Now the condition of the above obligation is such that if the above bound P. B. Hooper do and shall well and faithfully perform the trust reposed in him by said decree or that may be reposed in him by any future decree or order in the premises, then the above obligation to be void, otherwise to remain in full force and virtue in law.

Signed, sealed and delivered
in the presence of
William D. Connolly

P. B. Hooper Seal
W. D. Gibson Seal
Daniel C. Hooper Seal

On the back of the foregoing was thus endorsed to wit:
Security approved this 24th day of October 1859.
Madison Brown, clk.

Whereupon further process of and upon the premises of aforesaid is further continued from term to term of said court until the first Monday of May in the year eighteen hundred and sixty five at which said day came into court here as well the said Charles McColister by P. B. Hooper Esquire, ^{his solicitor} and the said James H. Thawley, Ezekiel Thawley, James Wille, Serena Wille, John Wesley Sherwood, Susanna W. Start, John Start, Lucretia Sherwood, Benjamin Sherwood, Josephine Sherwood and Washington Finley by John M. Robinson Esquire their solicitor, whereupon P. B. Hooper Esq. the trustee named in the afore recited decree, files in court here his Report of Sales in the words following, to wit:

Charles McColister vs James H. Thawley & others
In the Court of W. Robinson Judge
In the Circuit Court for Q. A. County &c.

The report of P. B. Hooper Trustee appointed by the decree in this cause to make sale of certain real estate therein mentioned, shows; that after giving bond with security for the faithful discharge of his trust as required by said decree, and giving notice of the time place, manner and terms of sale by advertisements in the States Rights & newspapers printed at Centerville Queen Anne's County for more than three successive weeks before the day of sale, he did pursuant to said notice attend at the place appointed for said sale, to wit: in front of the court house in Centerville aforesaid on Tuesday the 25 Oct. 1859 between the hours of 12 M. & 4 o'clock P. M. and then and there proceeded to sell the said real estate, at which said sale Ezekiel Thawley became the purchaser, he being the highest bidder therefor, for and at the sum of nine hundred dollars. The said real estate being the small farm containing fifty acres more or less, situated on the public road

from Leeterville to Church Hill on the left of the road and running in part on the new road to South East commonly known at the Faulkner farm, and a woodlot containing twenty acres more or less about a half mile distant from said farm adjoining the lands of Jno. H. Lovington & others, which said two parcels of land the said Mary Thawley purchased of the said Charles McAllister, the said Trustee reports further that he received a cash payment of one hundred and fifty dollars, and took the bond of the said Ezekiel Thawley with Jas. P. Dudley and Charles McAllister sureties for the balance of purchase as required by said decree, He also reports that at the time of advertising said sales, he gave notice to the creditors of the said Mary Thawley to file their claims with the vouchers thereof with the clerk of said court. Which is respectfully submitted.

J. P. Hoopfer, Trustee,

Maryland, Queen Anne's County, to wit:-

On this second day of June in the year eighteen hundred and sixty five before me the subscribed a Justice of the Peace of the State of Maryland, in and for Queen Anne's County personally appeared J. P. Hoopfer and made oath that the matters and things stated in the foregoing report are true to the best of his knowledge and belief, and that the sale therein reported was fairly made.

Jno. H. Rowleson J.P.

Whereupon the court passed the following Order, to wit:-

In the Circuit Court for Queen Anne's County as a Court of Equity.
Ordered this second day of June in the year eighteen hundred and sixty five that the sale made and reported by J. P. Hoopfer, Trustee for the sale of the real estate of Mary Thawley deceased, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the first day of August next, provided a copy of this Order be inserted in some paper printed at Leeterville Q. A. les. one in each of three successive weeks before the 20th day of July next. The Report states the amount of sales to be \$900. 00

Saml. E. Dryott, clk

Whereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of July next at which said fourth Monday of July in the year eighteen hundred and sixty five, comes into court here as well the said Charles McAllister by J. P. Hoopfer Esq. his solicitor aforesaid, and the said James H. Thawley, Ezekiel Thawley, James Wells, Serena Wells, John Wesley Sherwood, Susanna W. Start, John Start, Lucretia Sherwood, Benjamin Sherwood, Josephine Sherwood and Washington Finley by John M. Robinson Esquire their solicitor aforesaid. Whereupon the court passed the following order, to wit:-

Ordered this 2^d day of August in the year eighteen hundred and sixty five, that the sales within reported be and the same is hereby ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given as directed by the preceding order. The Trustee is allowed the usual commission and his expenses not personal.

Jno. M. Robinson

Whereupon further process of and upon the premises aforesaid is further continued from term to term of said court until the fourth Monday of January next at which said fourth Monday of January in the year eighteen hundred and sixty six, comes into court here as well the said Charles McAllister

by Philemon B. Hooper Esquire his Solicitor aforesaid and the said James H. Thawley, Ezekiel Thawley, James Wells, Serena Wells, John Wesley Sherwood, Susanna W. Start, John Start, Lucretia Sherwood, Benjamin Sherwood, Josephine Sherwood and Washington Finley by John M. Robinson Esquire their Solicitor aforesaid, thereupon P. B. Hooper, the Auditor of this court files in court here his Report, in the words following, to wit:-

b. No Collected

The Heirs at Law & adm^r. of Mary Thawley

To The Hon J. M. Robinson Judge of the Circuit Court for Queen Anne's County.

The Auditor respectfully reports that he has prepared the following account between the real estate of Mary Thawley and the Trustee for the Sale thereof, after the usual allowances of Trustee Comm^r. and expenses, complainants & Defendants costs of suit and fee of Auditor he applied so much of the proceeds as was necessary to the payment of the claims filed against the estate for allowances, the balance he divided into four shares representing the four original heirs of said Mary Thawley, giving three portions thereof to Ezekiel Thawley one in his own right and the other two in right of his brother James H. Thawley and his sister Serena Wells who had sold their interests to him as appears by their hands of conveyance of record in the Clerk's Office of Q. A. County. The other share he divided among the Sherwood children five in number, who were grand children of Mary Thawley a Daughter Susanna Sherwood who died in the life time of the said Mary Thawley.

P. B. Hooper, Auditor
 Jan'y 18th 1866.

In The Real Estate of Mary Thawley dec^d. in acct. with P. B. Hooper Trustee for the sale thereof

		Dolls	Cts	Dolls	Cts
1859					
Oct 25	To the Trustee for his commissions			54	00
	To the Trustee for his expenses			21	75
	To the complainants for their costs of suit viz:				
	Solicitor	20	00		
	W. Brown late clerk	10	50		
	J. Wooters late clerk		40		
	S. E. Dyott for costs & probable costs	23	00		
	P. F. Blake Comm ^r to assign guardian	8	00		
	Benj. Sherwood guardian to children	4	00		
	Jno. Palmer Comm ^r to take testimony	4	00		
	J. P. Keating clerk to same	2	66		
	W. H. Weakley witness		66		
	W. A. Duhamel sheriff	4	95		
	E. Sudder sheriff	1	00	79	17
	To the Defendants for their costs of suit viz:				
	W. Brown late clerk	5	50		
	J. Wooters "		80		
	S. E. Dyott clerk	1	65		

Solicitor		10	00	17	95
To Ch. McColister Compt for claims	No. 1.			133	57
To Ezekiel Thawley	No. 2.			522	24
To Ch. Newnam ^{and} of E. Thawley	No. 3.			8	35
To John Carter use of Same	No. 4.			24	83
To the Auditor				4	50
To Ezekiel Thawley on his at law in his own right, } and as attorney of James G. Thawley and Serena } Wells two other heirs				25	23
amt carried up.				891	59
To Amount brought up				891	59
To John Wesley Sherwood a grand child				1	68 1/5
To Amanda Start formerly Sherwood a grand child				1	68 1/5
To Lucretia Sherwood	" "			1	68 1/5
To Benjamin Sherwood	" "			1	68 1/5
To Josephine Sherwood	" "			1	68 1/5
				\$900	00

1859

Oct 25

By amount of proceeds of sale as per report of Trustee }
filed June 24 1865

lev.

900 00

\$900 00

Whereupon further process of and upon the premises aforesaid is further continued by regular continuances from term to term of said court until the fourth Monday of July in the year eighteen hundred and sixty seven, at which said day comes into court here as well the said Charles McColister by P. P. Hooper Esq. his Solicitor and the said James G. Thawley, Ezekiel Thawley, James Wells, Serena Wells, Susanna A. Start, John Start, Lucretia Sherwood, Benjamin Sherwood, Josephine Sherwood and Washington Finley by Jno. M. Robinson Esq. their Solicitor. Thereupon the court passed the following Order, to wit:—

Ordered this 30th day of July 1867, that within Auditors Report be and ratified and confirmed, and the Trustee is directed to distribute the funds accordingly.

Jno. W. Robinson

Nathaniel Lehaire

James W. Lehaire,
Wesley W. Lehaire,
Mary E. Lehaire,
& Lucinda Lehaire,

Be it remembered that on the twenty eighth day of August in the year Eighteen Hundred and sixty, Nathaniel Lehaire by Jno. W. Robinson Esquire his Solicitor files in Court here his Bill of Complaint against James W. Lehaire, Wesley W. Lehaire, Mary E. Lehaire & Lucinda Lehaire,

in the words following, to wit:—

To the Hon. R. B. Carmichael, Judge of the Circuit Court of Queen Anne's County sitting in Equity.

The Bill of Complaint of Nathaniel Lehaire of Queen Anne's County humbly shews; that a certain John Lehaire late of said County departed this life some time in the year Eighteen Hundred and fifty eight leaving personal and real estate and Ann M. Lehaire his widow and James W. Lehaire, Wesley W. Lehaire, Mary E. Lehaire, and Lucinda Lehaire, infants under the age of twenty one years, his only children and heirs at law, the said real estate being situate in said County. And your Orator further charges that the said John Lehaire by last will and testament duly executed and recorded, appointed your Orator Executor, and that shortly after the death of the said John Lehaire, administration of all and singular his personal estate was by the Orphans Court of said County in due form of law granted unto Orator who in virtue thereof possessed himself of all the personal estate which was of the said John Lehaire at the time of his death + has applied the proceeds thereof to the payment of the funeral expenses, costs of administration and debts due by the deceased at the time of his death and your Orator herewith exhibits copy of the inventory and account of sales of said personal estate returned by him, and also copy of his administration account.

passed before said Orphans, which are marked A. B. H. & filed as parts of this Bill. and thereby he charges it will appear that he has over paid the personal estate of the said John Lehaire which came into his hands to be administered by the sum of Two Hundred & sixty dollars & Seventeen cents.

And your Orator further charges that the debts due by the deceased which are mentioned in his aforesaid administration accounts & for the payment whereof allowances are therein made to your Orator, were debts due and owing from the said John Lehaire, at the time of his death and at the time of payment by your Orator as executor as aforesaid were properly chargeable against his real estate in the hands of his aforesaid heirs at law. And your Orator is therefore advised and charges that he is entitled to have his aforesaid overpayment reimbursed to him out of the aforesaid estate left by the said deceased. To the end therefore that the said James W. Lehaire, Wesley W. Lehaire, Mary E. and Lucinda of said County may answer the several matters & things hereinbefore stated and that the real estate of the said John Lehaire may be sold for the purpose of repaying your Orator the sum of money due him as aforesaid & for the purpose of discharging such other debts due by the said John Lehaire as may yet remain unsatisfied & that your Orator may have such further or other relief as his case may require, may it please your Honor to grant unto your Orator the writ of Subpoena against the said James W. Lehaire, Wesley W. Lehaire, Mary E. Lehaire and Lucinda Lehaire of said County commanding them to appear in this Court at some certain day to be therein named to answer the premises & abide by & perform such decree as may be passed therein, & as in duty &c.

Jno. M. Robinson
Sol. for Compts

The Exhibit "b." referred to in the Bill of Complaint is in the words following, to wit: -

Green Anne's County, Dec: - The second account of Nathaniel Lehaire, Executor of the last will & Testament of John Lehaire, late of said County, deceased. -

This Accountant charges himself with the Balance due on first account of administration settled on 21 st day of June 1859, as per same appears:	\$ 403.42
Also with a list of separate debts due Deceased's Estate as per same, returned July 3 rd 1860, appears:	142.92
And with the hire of some belonging to Deceased's estate, as per statement appears:	68.31
	\$ 614.65

And this accountant prays to be allowed for the following payments and disbursements, viz:

- | | |
|--|------|
| No. 1. For cash paid by this Accountant to R. Goldsbrough, former Register of Wills for recording &c, additional account of Sales, as per Bill & receipt thereon appears, allowed by order of Court: | .75 |
| No. 2. For cash paid Register of Wills for recording &c, list of separate debts, as per Bill and receipt thereon appears: | .80 |
| No. 3. For cash paid by this accountant to G. S. Roberts, for Walnut coffin for deceased, as per Bill & receipt thereon appears, allowed by Court: | 8.33 |

No. 4.	For cash due from Deceased to E. Pette & paid by this accountant, as per copy of Judgment, vs administrator, and receipt thereon, appears, allowed by order of court:	49.49
No. 5.	For cash due from Deceased to Wm. F. Smith Heo. & paid by this accountant, as per note proved & receipt thereon appears, allowed by order of court:-	66.54
No. 6.	For cash due from Deceased to Jas. Holding & paid by this accountant, as per copy of Judgment vs Administrator, & receipt thereon appears, allowed by order of court:	2.14
No. 7.	For cash paid by this accountant to Robt. K. Wilson, as per account, due from Deceased & proved, & receipt thereon appears, allowed:	2.65
No. 8.	For cash due from Deceased to Dr. Power & paid by this accountant, as per account proved & receipt thereon appears allowed:	38.08
No. 9.	For cash due from Deceased to Saml. C. Bansom, use Jas. D. Dudley & paid by this accountant, as per copy of Judgment vs Administrator & receipt thereon appears, allowed:	23.82
No. 10.	For cash due from Deceased to Thos. H. Kerane & paid by this accountant, as per account proved & receipt thereon appears; allowed by order of court:	14.20
No. 11.	For cash due from Deceased to Jas. Morton & paid by this accountant, as per account proved & receipt thereon appears; allowed by order of court:	1.95
No. 12.	For cash due from Deceased to Mr. Welch jr & paid by this accountant, as per account proved & receipt thereon appears, allowed by Order of court:	2.85
No. 13.	For cash due from Deceased to Jno. Palmer, & paid by this accountant, as per account proved & receipt thereon appears; allowed by order of court:	14.41
No. 14.	For cash due from Deceased to Wash. Finley & paid by this accountant, as per account proved & receipt thereon appears; allowed by order of court:	63.97
No. 15.	For cash due from Deceased to Sol. Pette, use C. Baxter & paid by this accountant, as per copy of Judgment vs administrator & receipt thereon appears; allowed:	39.18
No. 16.	For cash due from Deceased to Jno. Carsons & paid by this accountant, as per account proved & receipt thereon appears, allowed	60.20
Amount carried forward		\$ 389.35
Amount brought forward:		\$ 389.35
No. 17.	For cash due from Deceased to John Carsons & paid by this accountant, as per account proved & receipt thereon appears, allowed by order of court:	61.70
No. 18.	For cash due from Deceased to Jno. E. Ball & paid by this accountant, as per account proved & receipt thereon appears, allowed by order of court:	3.95
No. 19.	For cash due from Deceased to W. E. R. Faithful & paid by this accountant as per account proved & receipt thereon appears, allowed by order of court:	30.40
No. 20.	For cash due Deceased to W. Lesage & paid by this accountant as per account proved & receipt thereon appears, allowed:	6.02

- No. 21. For cash due from deceased to Jno. R. Cahoon & paid by this account, as per note proved & receipt thereon appears, allowed by order of court: 5.35
- No. 22 For cash due from deceased to this accountant, as per account proved & by order of court, retained: 119.50

Amount carried forward: \$616.27

Amount brought forward: \$616.27

- No. 23. For cash paid for costs at suit of Administrator vs. Jno. Powell, the same being returned, nulla bona: 1.11
- No. 24. For cash paid for costs, at suit of same vs. J. Phelps, the same being returned, nulla bona, as per copy of judgment appears, allowed by court: 1.21
- No. 25 For cash paid for costs, at suit of same vs. S. Bancroft, the same being returned, nulla bona as per copy of judgment appears, allowed by court 3.87
- No. 26. For cash paid for costs, at suit of same vs. Jas. Coleman, Plaintiff being now suited, as per copy of judgment appears, allowed by court: .73
- No. 27. For cash paid Ann M. Leharis, as per copy of judgment vs. Executor of Deceased, as per receipt thereon appears, allowed by court: 8.19
- No. 28. For cash due from deceased to Sheppard & Welch & paid by this accountant, as per copy of judgment & receipt thereon appears, allowed by order of court: 36.00

Amount carried forward: \$667.38

Amount brought forward: \$667.38

- No. 29. For cash due from deceased to Thos. Leharis & paid by this accountant, as per account proved & receipt thereon appears, allowed by order of court: - 153.25
- For 10 per cent. commission on \$ 211.23 21.12
- For 2 per cent. commission on \$ 552.76 11.05
- For cash paid Register of Wills, for stating, recording &c, this account: 8.10
- For cash paid same for paying 13 claims against deceased's estate: 1.30
- No. 30. For cash due from deceased to Thos. L. Cecil & paid by this accountant, as per account proved & receipt thereon appears, allowed: 2.62
- No. 31. For cash paid John M. Robinson for counsel fee, as per Bill and receipt appears: 10.00

Amount of disbursements, Amt, over paid \$874.82
260.17

\$614.65

Queen Anne's County, Oct. } Then came Nathaniel Leharis & made oath on
 August 7th 1860 } the Holy Evangelij of almighty God, that forego-
 ing account is just and true, as stated & that he has actually & bona fide
 paid or secured to be paid the several & particular sums for which he claims
 an allowance.

W. A. Johnson, Regr. Wills
 for Queen Anne's County.

Queen Anne's County, Orphans Court }
 Aug 7th Anno Domini, 1860. } The foregoing account was duly
 examined & approved by the court, and the same ordered to be received filed
 & recorded. -

W. A. Johnson, Regr. Wills
 for Queen Anne's County.

leeb. fee.

In testimony that the foregoing is a true copy from the original - a record
 Seal in my office I have hereunto set my hand and affixed the Seal
 of my office, this 25th day of August 1860. -

W. A. Johnson, Regr Wills
 for Queen Anne's County.

Orphans Court
 Queen Anne's
 County
 leeb. \$1.50

Wherefore Subpoena was issued in the words following, to wit :-
 State of Maryland, for Queen Anne's County, to wit :- To James W. Leharis
 Seal Wesley W. Leharis, Mary E. Leharis, and Lucinda Leharis of
 leeb. Queen Anne's County, greeting: you are hereby commanded to be
 leeb. and appear before the leeb. court for Queen Anne's County as
 Q. A. leeb. a leeb. of Equity, on the first Monday of November next, to
 answer the Bill of Complaint filed in said leeb. court against you
 by Nathaniel Leharis, Heretofore fail not as you will answer the contrary at
 your peril - Witness the Honorable Richard B. Barnichal Judge of the said
 leeb. court, the twenty fifth day of July in the year Eighteen hundred and Sixty.
 Signed the 28th day of September 1860.

Madison Brown, Clerk,

On which said first Monday of November in the year Eighteen Hundred
 and sixty, John R. Story Esq. Sheriff of Queen Anne's County to whom the afore-
 recited Subpoena was delivered makes return of the same thus endorsed, to
 wit:

Summoned

John R. Story, Shff.

Wherefore further process of and upon the premises of aforesaid is further contin-
 ued by regular continuances from term to term of said leeb. court until the first
 Monday next which said first of May in the year Eighteen hundred and
 sixty one comes into leeb. here the said Nathaniel Leharis by his Solicitor of
 aforesaid, and Mary E. Leharis and Lucinda Leharis appear in open
 leeb. and being infants the leeb. appointed John B. Brown Guardian to
 answer and defend for them and afterwards on the same day James W. Leharis
 and Wesley W. Leharis appear in leeb. and being infants the leeb. appo-
 inted John B. Brown Guardian to answer and defend for them, which said
 Guardian appears in leeb. by Thomas J. Keating Esq. his Solicitor, Thereup-
 on further process of and upon the premises of aforesaid is further continued
 from term to term of said leeb. court until the first Monday of November in the year

eighteen Hundred and sixty two at which said first Monday of November comes into term as well the said Nathaniel Leharie by John M. Robinson Esq. his Solicitor, as the said James W. Leharie, Wesley W. Leharie, Mary E. Leharie & Lucinda Leharie by Thomas J. Keating Esq. their Solicitor and afterwards on the twelfth day of January in the year eighteen Hundred and sixty three the following answers were filed, to wit:-

Nathaniel Leharie
James W. Leharie
Wesley W. Leharie & others
In the Circuit Court for Queen Anne's County, in Equity.

To the Hon: R. Po. Barnichael, Judge C. C. Q. A. Co.,
The joint and several answers of James W. Leharie, Wesley W. Leharie, Mary E. Leharie and Lucinda Leharie, Infants under the age of twenty one years by John B. Brown, their Guardian, to the bill of Complaint of Nathaniel Leharie against them in the Circuit Court for Queen Anne's County in Equity exhibited -

These Defendants can not admit any of the matters and things alleged in the said bill and being infants of tender years submit their rights to the protection of this Court.

John B. Brown, Guardian for James W. Leharie, Wesley W. Leharie, Mary E. Leharie & Lucinda Leharie

On this 12th January 1863 the above named John B. Brown appeared before me, a Justice of Peace of State of Maryland in and for Queen Anne's County and made Oath that the matters and things stated in the foregoing answers are true to the best of his knowledge and belief.

Lloyd J. Hemsley, J. P.

Thereupon the following agreement was filed, to wit:-

Nathaniel Leharie
James W. Leharie & others
In the Circuit Court for Queen Anne's County, sitting as a Court of Equity.

It is hereby agreed that Commission to take testimony in this cause shall be issued to James Wooters of Queen Anne's County,
January 19, 1863

Jno. M. Robinson
Sol for Complainant
Thos. J. Keating
Sol. for Respondents

Whereupon Commission was issued in the form & words following, to wit:-
Queen Anne's County, to wit:- The State of Maryland, to James Wooters of
Deaf Queen Anne's County, greeting: Be it known that you are appoint-
ed Commissioner to examine evidences in a cause depending
in the Circuit Court for Queen Anne's County, between Natha-
niel Leharie, Complainant, and James W. Leharie, Wesley
W. Leharie, Mary E. Leharie and Lucinda Leharie, Re-
spondents: you are therefore hereby required, having first taken the Oath hereto
annexed, and also administered the annexed oaths to the person whom you shall
appoint as clerk to attend the execution of this Commission, that at such time & place
as to you shall seem convenient, you cause to come before you all such evi-
dences as shall be named and produced to you by either the Complainant or
Respondents, and that you examine them on their corporal Oaths, to be by you

administered upon the Holy Evangelij of Almighty God, touching their knowledge or remembrance of any thing that may relate to the cause aforesaid; and that you cause notice to be given to the parties or their Solicitors of the execution of this commission before you execute the same; and having reduced the depositions of the witnesses so taken by you into writing, you send the same with this commission, close under your hand and seal, to the said Circuit Court with all convenient speed.

Witness the Honorable, Richard B. Carnichael Judge of the said Court, the third day of November eighteen hundred and sixty two.
 Dated the 19th day of January 1863, Madison Brown, Clerk.

Commissioner's Oath.

You James Wooters shall, according to the best of your skill and knowledge, truly, faithfully, and without partiality, to any or either of the parties in this cause, take the examinations and depositions of all and every the witnesses produced and examined by virtue of the commission hereto annexed, upon the interrogatories now, or which may hereafter before the said commission is closed, be produced to and left with you, by either of the said parties. So help you God.

Sworn before

Lloyd I. Hensley, J. P.

Clerk's Oath.

You Edwin H. Brown, shall truly, faithfully and without partiality to any or either of the parties in this cause, take, write down and transcribe the depositions of all and every the witnesses produced before and examined by the commissioners named in the commission herunto annexed, as far forth as you are directed and employed by the said commissioners to take, write down and transcribe, the said depositions, or any of them, So help you God.

Sworn before

James Wooters, Commissioner

And afterwards to wit: on the 27th day of January in the year eighteen hundred and sixty three, James Wooters Esquire the commissioner named in the foregoing commission make return of the execution thereof in the manner following, to wit:

Nathaniel Leharie

James W. Leharie
 & others

In the Circuit Court of Queen Anne's County.

Interrogatories to be proposed to witnesses on part of the complainant.

1. Are you or not acquainted with the parties to this suit or either & which of them.
2. Were you or not acquainted with the late John Leharie? was he or not married at the time of his death?
3. Did he or not leave children, If yes state how many - their ages & sexes.
4. Did he or not leave real estate, If yes state what & where is it situate.
5. Are you or not acquainted with the handwriting of the said John Leharie, If yes look at the paper marked No. 1. Is or is not the signature "John Leharie" thereunto attached in the handwriting of the said John Leharie.

Jno. W. Robinson

Sol for Compl.

To the Honorable Richard B. Carnichael Judge of the Circuit Court for Queen Anne's County.

At the execution of the annexed commission issued out of the Circuit Court for Queen Anne's County.

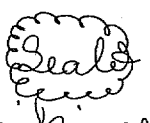
Annie's County, and to me directed, empowering me to examine evidences in the cause depending in the said Court, between Nathaniel Leharie, Complainant, and James W. Leharie, Wesley W. Leharie, Mary E. Leharie and Lucinda Leharie, Respondents, & James Wooters, Commissioners therein named, having taken the Oath annexed to the said Commission, and having appointed Edwin B. Brown my Clerk, and administering to him the Oath annexed to the said Commission to be taken by him, and having given notice to the Solicitors of the parties, did, at Centerville, in Queen Anne's County aforesaid, on the twenty fourth day of January in the year eighteen hundred and sixty three, proceed to take the following deposition. Richard W. Gray a witness of lawful age, produced on the part of the complainant, being duly sworn and examined to interrogatories filed with the Commissioners by the complainant and herewith returned, deposes and says,

- To the first interrogatory, He knows all the parties
- To the second interrogatory: He was acquainted with the late John Leharie who was married at the time of his death.
- To the third interrogatory. He did leave five children one of whom has since died leaving James W. Leharie, Wesley W. Leharie, Mary E. Leharie & Lucinda Leharie still living, but their ages he does not know.
- To the fourth interrogatory. He did leave real estate, consisting of a farm, situate in Church Hill District of Queen Anne's County, but the number of acres, witness does not know.
- To the fifth interrogatory, He is acquainted with the hand writing of the said John Leharie and that the signature John Leharie attached to the paper now shown him, and marked Number one is in the hand writing of the said John Leharie

R. W. Gray

The Exhibit marked No. 1. and referred to in the interrogatories is by the Commissioners herewith returned to the Court.

There being no other witness to be examined, and further time not being required for the production of evidence, the Commissioners closed the said Commission and herewith returns the same under his hand and seal, the 24th day of January 1863,


James Wooters,  Commissioner

Costs of Executing Commission	
Commissioners	4. 10
Clerk	2. 50
Witness	. 75
	<hr/>
	\$ 7. 35

Millington Kent County Maryland

Dolls 51. 27

Six Months after date for value received I promise to pay William J. Smyth \$50. or order Fifty one Dolls. and twenty four cents with interest from date as witness my hand and seal this 1st day of January 1855.

John Leharie 

State of Maryland, Queen Anne's County, to wit:-

On this twenty second day of Oct. 1855 before me the subscribed one of the Justices of the peace in and for said County personally appeared Wm. J. Smyth & James J. Gleave trading under the firm of Wm. J. Smyth & Co and made oath on the Holy Evangelists of Almighty God that the said note is just and true and that they have not directly or indirectly received any part of

parcel or any satisfaction or security of the same to the rest of their knowledge.
Sworn before me

J. B. Sparks J. P.

Oct: 26th 1858 By order of court will be allowed when paid.

Leost 10 cts pd }
Ent 5 cts pd }

R. Goldsborough Reg. Wills
Queen Anne's County

June 27th 1859. By cash of N. Leharis \$ 38.51

I hereby assign to Nathaniel Leharis the within note for the sum of twenty seven ⁹³/₁₀₀ dollars received of him that being the balance due on said note to this date. May 9/60.

W. F. Smyth Sec.

Leost of Probate paid by Thomas Leharis beside the above.

May 9/60.

W. F. Smyth Sec.

Thereupon the following agreement was filed, to wit:-

To the Hon R. B. Carmichael Judge of the Circuit Court of Queen Anne's County in Equity,

In the matter of the sale of the Real Estate of John Leharis dec'd. } In the Circuit Court of Queen Anne's County, In Equity

I Ann M. Leharis of Queen Anne's County, widow of John Leharis dec'd. aged about thirty one years do hereby agree and consent to the sale of the real estate in the proceedings mentioned free and clear of my dower right in same and do agree to receive in consideration thereof such proportion of the proceeds of the sale of said real estate as the Circuit Court of said County shall order and adjudge to me in the premises, In witness whereof I hereunto subscribe my hand & seal this 12 day of January 1863

Ann M^W Leharis (Seal)
mark

Test:
D. J. J. Blake

Maryland, Queen Anne's County, to wit:-

I hereby certify that on this 3rd day of May in the year Eighteen Hundred and sixty five before me the subscriber a justice of the peace of the State of Maryland in and for said County personally appeared Nathan Leharis and made oath that he is acquainted with Ann M. Leharis widow of John Leharis deceased, that at the time of the sale of his real estate she was of good health and between thirty & thirty five years of age.

Sworn before. Jno. H. Rowleson J. P.

Whereupon the court passed the following Decree, to wit:-

Leharis }
vs } In the Circuit Court of Queen Anne's County
Leharis & others } In Equity

This cause standing ready for hearing and being submitted without argument the proceedings were read and submitted.

It is therefore this 28th day of January in the year of our Lord one thousand eight hundred and sixty three by Richard B. Carmichael and by authority of this court adjudged ordered and decreed that the real estate mentioned in these proceedings be sold.

That I John M. Robinson of Centerville be and is hereby appointed Trustee to make such sale: and that the course and manner of his proceedings shall be as follows: He shall first file in the Chancery Office a bond to the State of

Maryland, executed by himself, with a surety or sureties to be approved by the clerk of this court, in the penalty of ten thousand dollars conditioned for the faithful performance of the trust reposed in him by this decree, or which may be reposed in him by any future order or decree in the premises, he shall then proceed to make sale of said premises having first given at least three weeks previous notice inserted in some newspaper printed in Centerville and such other notice, as he may think proper of the time place and manner of sale, which terms shall be as follows, one hundred dollars cash & residue of the purchase money to be paid in equal instalments in six, twelve & eighteen from the day of sale, ^{three} to bear interest from the day of sale - and the payment thereof to be secured by the Bonds of the purchaser with a surety or sureties to be approved by the Trustee (or on the ratification thereof by this court) and as soon as may be convenient after any such sale or sales the said Trustee shall return to this court a full and particular account of the same with an affidavit of the truth thereof and of the fairness of such sale or sales annexed and on the ratification of such sale or sales by this court and on the payment of the purchase money (and not before) the said Trustee by a good and sufficient deed to be executed and acknowledged agreeably to law shall convey to the purchaser or purchasers of said property and to his her or their heirs the property to him her or them sold free clear and discharged of all claim of the parties to this cause and of any person or persons claiming by him or under them, and the said Trustee shall bring into this court the money arising on such sale or sales and the bonds or notes which may be taken for the same, to be disposed of under direction of this court, after deducting therefrom the costs of this suit and such commissions to the said Trustee as this court shall think proper to allow on consideration of the skill attention and fidelity wherewith he shall appear to have discharged his trust.

Rich^d B^{ro} Barnichael

Whereupon further process of and upon the premises aforesaid is further continued by regular continuances from term to term of said court until the fourth Monday of July in the year Eighteen Hundred and sixty four at which said day came into court here as well the said Nathaniel Lehaire by John M. Robinson Esq. his Solicitor aforesaid and the said James W. Lehaire, Wesley W. Lehaire, Mary E. Lehaire and Lucinda Lehaire by Thomas J. Keating Esq. their Solicitor aforesaid: Thereupon John M. Robinson Esquire the Trustee named in the foregoing decree files in court here his Report of Sales in the words following, to wit:-

Nathaniel Lehaire

James W. Lehaire & others

In the Circuit Court of Queen Anne's County, in Equity. July Term 1864

The report of Jno. M. Robinson Trustee appointed by the decree in this cause to make sale of certain real estate therein mentioned shows that after giving bond with security for the faithful discharge of his trust as required by said decree and giving notice of the time place manner & terms of sale by advertisement in the States rights a news paper printed in Queen Anne's County for more than three successive weeks before the day of sale & by hand bills extensively circulated in said county he did pursuant to said notice offer at public sale in Church Hill on the 16 day of May 1863, the real estate in the proceedings mentioned consisting of a Tract or parcel of

land called "Huntley Rambles" containing one Hundred & twenty one acres and two rods of land and sold the same to Marietta Duttiff she being the highest bidder for the sum of ten dollars & ten cents per acre making the sum of Twelve Hundred & twenty seven dollars & fifteen cents who paid the sum of one Hundred dollars being the cash payment & executed her bond with sureties for the payment of the residue of the purchase money in three equal instalments of 6., 12., & 18. mos. with interest from day of sale.

Your Trustee further reports that Ann W. Leharie widow of the late John Leharie having consented that the said real estate should be sold free from her dower right, she agreeing to take in consideration thereof such proportion of the proceeds of sale as this court shall deem proper he sold said land free of the dower right of said Ann W. Leharie.

All of which is respectfully submitted.

Jno. W. Robinson, Trustee

Queen Anne's County, to wit:-

I hereby certify that on this 2^d day of August in the year 1864. before the undersigned a Justice of the Peace of the State of Maryland for Queen Anne's County personally appeared John W. Robinson Trustee and made oath that the matters & things stated in the foregoing report are true to the best of his knowledge & belief & that the sales therein reported were fairly made.

Jno. H. Rowleson

Whereupon the court passed the following Order, to wit:-

Nathaniel Leharie

James W. Leharie & others

Le circuit court for Queen Anne's County

Ordered that the sale made and reported by John W. Robinson Trustee for the sale of the real estate in above cause be ratified and confirmed unless cause to the contrary thereof be shown on or before the seventh day of November next provided a copy of this order be inserted in some paper printed in Queen Anne's County once in each of three successive weeks before the first day of October next.

The report states the amount of sales to be \$12,27.¹⁵/₁₀₀

J. R. Ricard

August 2^d 1864

And afterwards to wit:- on the 15th day of November in the year eighteen Hundred and sixty four, the following Petition was filed, to wit:-

Leharie

Leharie

In the circuit court for Queen Anne's County in Equity

To the Hon. James R. Ricard Judge of the circuit court of Queen Anne's County, in Equity,

The Petition of Edward Duttiff and Marietta, his wife, of Queen Anne's County respectfully shews, that in pursuance of a decree of this court passed in above cause the said Marietta wife of Edward Duttiff purchased at public sale of John W. Robinson Trustee, the real estate in the proceedings mentioned and executed her bond with surety for the payment of said purchase money. Your petitioners further sheweth that they had since the above sale and purchase by her sold the said real estate unto William McQuinn of said County, who has undertaken and agreed to pay

unto the said John W. Robinson Trustee, the purchase money yet unpaid.
 Your petitioners therefore pray that the said William McSpinnis may
 be substituted as the purchaser of said real estate upon condition that he
 pays unto the said John W. Robinson Trustee the residue of said purchase
 money, and that a deed may be executed by said Trustee conveying said
 real estate unto the said William McSpinnis as fully & effectually as if
 the said McSpinnis had been returned by said Trustee as purchaser of
 said real estate, & as in duty &c.

Test:
 b. McColister

Marietta Duttiff
 Edward Duttiff

The Honorable John W. Robinson Judge of this said Court announces his
 disqualification to try said cause. The following agreement was filed
 to wit:-

Nathaniel Leharis }
 vs }
 James W. Leharis }

It is agreed that Lloyd Tilghman Esq. be appointed Special
 Judge in above cause
 D. B. Hopper, for Plaintiff.
 Thos. J. Keating
 Sol. for Defendants

Therefore the Court passed the following Order, to wit:-

Leharis }
 vs }
 Leharis }

In the Circuit Court for Queen Anne's County
 in Equity:-
 Nov. Term 1866.

John W. Robinson, Trustee, is hereby authorized, empowered and
 directed to convey the Real Estate mentioned in the proceedings in
 this cause to William McSpinnis of Queen Anne's County, State of
 Maryland, as effectually as he could have conveyed said Real
 Estate to Marietta Duttiff upon her purchase by said William
 McSpinnis with the terms and conditions of the foregoing petition
 of Marietta Duttiff and Edward Duttiff and the terms and con-
 ditions of Sale

Lloyd Tilghman
 Special Judge
 Dec 20th 1866

Whereupon further process of and upon the premises of aforesaid is further contin-
 ued by regular continuances from term to term of said Court until the fourth
 Monday of January in the year Eighteen Hundred and sixty five at which
 said day comes into Court here as well the said Nathaniel Leharis by his
 Solicitor aforesaid and the said James W. Leharis, Wesley W. Leharis, Mary
 E. Leharis & Lucinda Leharis by their Solicitor aforesaid. Therefore the
 Court passed the following Order, to wit:-

Nathaniel Leharis }
 vs }
 James W. Leharis & others }

In the Circuit Court of Queen Anne's
 County,
 Jan'y Term 1865.

Ordered that the sales within reported be and the same are hereby ratifi-
 ed and confirmed no cause to the contrary thereof having been shown
 although notice appears to have been given as directed by the preceding
 Order.

Lloyd Tilghman
 Special Judge

Thereupon Philemon B. Hopper Esq. the auditor of this court files in court here his report in the form & words following to wit: -

Nathaniel Leharie
 vs.
 James W. Leharie & others
 In the law court for Queen Anne's County,
 sitting as a court of Equity.

To the Hon. J. M. Robinson Judge of the Circuit Court for Queen Anne's County
 The Auditor respectfully reports that he has examined the proceedings in this cause, and has therefrom stated the following account between the real estate mentioned and J. M. Robinson Trustee for the sale thereof -
 In the account he has allowed to the Trustee his commission and expenses, to the complainants and Defendants each their costs of suit and to the Auditor his fee. From the balance being the nett proceeds of sale he deducted one seventh and assigned the same to the widow in lieu of her dower, he next allowed to the complainant his claim for overpayment with int. to day of sale, on the claims against the personal estate set forth in the copy of the administration account, The residue he divided equally between the four heirs at law named in the proceedings.

J. B. Hopper, Auditor
 April 11th 1865.

In The Real Estate of John Leharie deceased in acct. with J. M. Robinson Trustee for the sale thereof.

1863	To The Trustee for his commission			81	12
May 16	To The Trustee for his expenses			15	00
	To The complainants for their costs of suit; viz:				
	Solicitor	20	00		
	W. Brown clerk	9	55		
	J. Wooters clerk		40		
	S. E. Dyott clerk	2	80		
	To same for provable costs	15	00		
	John R. Story shff	1	80		
	James Wooters lew. m. to take testimony	4	10		
	E. H. Brown clk to same	2	50		
	Richard W. Gray Witness		75	56	90
	To the Defendants for their costs, viz:				
	Solicitor	10	00		
	W. Brown clk	4	15		
	J. Wooters "		70		
	S. E. Dyott "	1	50	16	35
	To the Register for cost of Exhibit			1	50
	To the Auditor for stating this account			4	50
	To Ann M. Leharie widow 1/7 of nett proceeds } in lieu of her dower interest }	150	25	175	37
	To Nathaniel Leharie lew. m. for his over pay- } ment on personal estate with int. to day of sale }			303	48
	To James W. Leharie an heir at law			149	51 1/4
	To Wesley W. Leharie " " " "			149	51 1/4
	To Mary E. Leharie " " " "			149	51 1/4
	To Lucinda Leharie " " " "			149	51 1/4
				\$ 1227	15

1863

May 16

By amount of proceeds of sale of real estate as per Trustees &
Report of same filed

lev:

1227 15

 1227 15

D. B. Hopper, Auditor

Wherefore further process of and upon the premises aforesaid is further contin-
ued by regular continuances from term to term of said court until the fourth
Monday of July in the year eighteen hundred and sixty seven, at which said
day comes into court here as well the said Nathaniel Leharie by his Solicitor
aforesaid and the said James W. Leharie, Wesley W. Leharie, Mary E. Leharie
and Lucinda Leharie by their Solicitor aforesaid. Therefore the court spe-
ced the following order, to wit:-

Ordered this 30 day of July 1867 that the within Auditors Report be & is
heerly ratified & confirmed and the Trustee is directed to pay to the said
several parties the proportions to which they are entitled including their
share of interest, and also to pay to the guardians of the minors the respec-
tive shares to which the infants are entitled.

Lloyd Tilghman
Special Judge

Ann Bonville next friend of Eugene Bonville, Anna Bonville, and Mary Bonville.

vs

Eugene Bonville, Anna Bonville and Mary Bonville

Be it remembered that on this twenty third day of July in the year eighteen hundred and sixty Ann Bonville next friend of Eugene Bonville, Anna Bonville and Mary Bonville by John M. Robinson her Solicitor filed in Court here her Bill of Complaint against Eugene Bonville Anna Bonville and Mary Bonville in the words following, to wit: - To the Hon. R. B. Carmichael Judge of the Circuit Court of Queen Anne's County.

The Bill of Complaint of Ann Bonville of Queen Anne's County, next friend to Eugene Bonville, Anna Bonville and Mary Bonville of said County in- fants under the age of twenty one years humbly shows; that the said Eugene, Anna and Mary Bonville are seized as tenants in common of a tract or parcel of land lying in said County called "Partnership" or by whatever name or names the same may be called, containing three hundred and three acres more or less subject to the dower right of the said Ann Bonville widow of Hall Bonville dec'd. the father of the said infants, it being the same tract or parcel of land which was conveyed by Philip Morgan to the said Hall Bonville. Your complainant further shows that it will be for the advantage and interest of the said infants to sell the aforesaid real estate and to invest the proceeds in some productive fund for their benefit.

To the end therefore that the said Eugene Bonville, Anna Bonville and Mary Bonville may answer the premises, and that the aforesaid real estate may be sold under the authority of the Court, and that your Orator may have such further & other relief as this case may require,

May it please your Honor to grant unto your Orator the writ of Sub- poena against the said Eugene Bonville, Anna Bonville and Mary Bonville commanding them to appear in this Court at some certain day to be therein named to answer the premises & abide by and perform such decree as may be passed therein and as in duty &c.

John M. Robinson Sol for Compl't.

And therefore Subpoena was issued in the form following, to wit: Queen Anne's County, to wit: - The State of Maryland, To Eugene Bonville, Anna Bonville and Mary Bonville of Queen Anne's County, greeting: You and each of you are hereby commanded to be and appear in the Circuit Court for Queen Anne's County as a Court of Chancery on this the fourth Monday of July in the year eighteen hundred and sixty to answer unto the Bill of Complaint of Ann Bonville as next friends of said Eugene Bonville, Anna Bonville and Mary Bonville in said Court exhibited. Hereof fail not as you shall answer the contrary at your peril.

Witness the Honorable Richard B. Carmichael Esquire, Judge of said Circuit Court the 7th day of May 1860. Issued the 23rd day of July 1860.

Madison Brown, Clerk

Therefore on the 23rd day of July in the year eighteen hundred and sixty, John R. Story Esquire, Sheriff of Queen Anne's County, makes return of the foregoing Sub- poena thus endorsed, to wit:

Summoned

John R. Story, Shff.

And afterwards, to wit: on the seventh day of August in the year Eighteen hundred and sixty, Eugene Bonville, Anna Bonville and Mary Bonville the minors appear in court and Francis B. Morgan appointed Guardian to answer and defend for them: And thereupon P. B. Hopper Esquire Attorney for Guardian files in court here the answer of said infants by their Guardian, in the words following, to wit:

Ann Bonville next friend of Eugene Bonville & others vs Eugene Bonville & others In the Circuit Court of Queen Anne's County sitting in Equity. July Term 1860.

The Answers of Eugene, Mary & Anna Bonville, infants under the age of twenty one years by Francis B. Morgan their Guardian to the Bill of Complaint of Ann Bonville next friend & Guardian to said infants against them in the Circuit Court of Queen Anne's County sitting in Equity exhibited.

These defendants can not admit the matters & things alleged in the said Bill & being infants of tender years submit their rights to the protection of this court.

P. B. Hopper, Sol^r for Defendants,

I hereby certify that on this seventh day of August in the year Eighteen hundred and sixty before me the subscribed a Justice of the Peace of the said State in and for said County personally appeared Francis B. Morgan and made oath that the several matters and things stated in the within answer are true to the best of his knowledge and belief.

Jno. H. Rowleson

Thereupon the court orders and directs that a Commission shall issue to James Wooters Esquire to take testimony; Whereupon the following Commission was issued, to wit:

Queen Anne's County, to wit: The State of Maryland, to James Wooters Seal of Queen Anne's County, greeting: Be it known that you are Circuit appointed Commissioner to examine evidences in a cause Court depending in the Circuit Court for Queen Anne's County, betw- Queen Anne's County: sen Ann Bonville next friend of Eugene Bonville, Anna Bonville and Mary Bonville, Complainant, and Eugene Bonville, Anna Bonville and Mary Bonville, Respondents. You are therefore hereby required having first taken the Oath hereto annexed, and also administered the annexed oath to the person whom you shall appoint as clerk to attend the execution of this Commission, that at such time and place as to you shall seem convenient, you cause to come before you all such evidences as shall be named and produced to you by either the Complainant or Respondents; and that you examine them on their corporal oaths, to be by you administered upon the Holy Evangelist of Almighty God, touching their knowledge or remembrance of any thing that may relate to the cause aforesaid; and that you cause notice to be given to the parties or their Solicitors, of the execution of this Commission, before you execute the same; and having reduced the depositions of the witnesses so taken by you, into writing, you send the same, with this Commission, close under your hand and seal, to the said Circuit Court with all convenient speed.

Witness the Honorable Richard P. Barnichall, Judge of the said Court

the seventh day of May Eighteen hundred and sixty.

Spired the 7th day of August 1860.

Madison Brown, Clerk

Commissioner's Oath.

You James Wooster, shall, according to the best of your skill and knowledge, truly, faithfully, and without partiality, to any or either of the parties in this cause, take the examinations and depositions of all and every witness and witnesses produced and examined by virtue of the commission hereto annexed upon the interrogatories now, or which may hereafter, before the said commission is closed, be produced to and left with you, by either of the said parties, So help you God.

Sworn before

Jno. B. Rowleson

Clerk's Oath

You Madison Brown, Junior, shall truly, faithfully, and without partiality to any or either of the parties in this cause, take, write down, and transcribe the depositions of all and every the witnesses produced before and examined by the commissioners named in the commission hereto annexed, as far forth as you are directed and employed by the said commissioners to take, write down, and transcribe, the said depositions, or any of them. So help you God.

Sworn before

James Wooster
Commissioner

Therefore James Wooster Esq. the commissioner named in the foregoing commission, makes return of the execution thereof in the manner, form and words following, to wit:-

Ann Bonville next friend of Eugene Bonville & others

vs Eugene Bonville & others

In the Circuit Court of Queen Anne's County, sitting in Equity. July Term 1860.

Interrogatories propounded to W. A. Barton, W. E. Mason, Joseph Richardson witnesses on the part of the complainant

- 1st Are you acquainted with the defendants in suit & if you are they infants under the age of twenty one years?
- 2^d Are you or not well acquainted with a tract of land called "Partnerships" situate in Queen Anne's County being the same which belonged to Ball Bonville & on which Philip Morgan formerly lived?
- 3^d Is the said tract or not capable of division among the heirs, the defendants in this suit, & if not state why in your opinion?
- 4th Would it or not be to the advantage & interest of said heirs the defendants in this suit that the real estate should be sold & the proceeds thereof divided among them according to their respective fortunes.

Jno. W. Robinson
Sol for Complt;

To the Honorable, Richard B. Barnichael Judge of the Circuit Court for Queen Anne's County.

At the execution of the annexed commission issued out of the Circuit Court

for Queen Anne's County, and to me directed, and empowering me to examine evidences in the cause depending in the said Court, between Ann Bonville next friend of Eugene Bonville, Anna Bonville and Mary Bonville, Complainant, and Eugene Bonville, Anna Bonville and Mary Bonville, Defendants, S. James Wothers, Commissioners therein named, having taken the oath annexed to the said Commission, and having appointed Madison Brown, Junr. my Clerk, and administered to him the oath annexed to the said Commission to be taken by him, did, at Centreville in Queen Anne's County aforesaid, on the seventh day of August in the year Eighteen hundred and sixty proceed to take the following depositions, the usual notice being waived by the Solicitors of the parties aforesaid.

Joseph Richardson a witness of lawful age, produced on the part of the Complainant, being duly sworn and examined to interrogatories filed with the Commissioners by the Complainant and herewith returned, deposes and says,

To the first interrogatory, He is acquainted with the defendants to this suit, and they are infants under the age of twenty one years.

To the second interrogatory, He is well acquainted with the tract of land called "Partnership" situate in Queen Anne's County, being the same which belonged to Hall Bonville and on which Philips Morgan formerly lived.

To the third Interrogatory, that the said land is not capable of division among the heirs, the defendants in this suit that the quantity of land is too small to admit of division among the several heirs, & the land is poor.

To the fourth Interrogatory, It would be to the advantage and interest of the defendants in this suit that the Real Estate should be sold and the proceeds thereof divided among them according to their respective portions because the land is now unproductive, some of the heirs are very young, the property liable to become yearly impaired in value, and would now sell for more than in a few years hence and the interest on the purchase money would be more than the annual rent after deducting taxes and repairs

Joseph Richardson

William E. Mason, a witness of lawful age produced on the part of the Complainant being duly sworn and examined to interrogatories filed with the Commissioners by the Complainant and herewith returned deposes and says that having heard the interrogatories in this cause propounded to Joseph Richardson and having heard the answers of said Richardson to said interrogatories he adopts the said answers as his own after said interrogatories being propounded to this deponent.

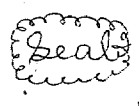
W. E. Mason

William A. Barton, a witness of lawful age produced on the part of the Complainant being duly affirmed and examined to interrogatories filed with the Commissioners by the Complainant and herewith returned deposes and says; That having had propounded to him the interrogatories in this cause and having heard read the answers of Joseph Richardson to same interrogatories this deponent adopts said answers as his own.

William A. Barton

There being no other witnesses to be examined and neither party desiring further time for the production of their evidences the Commissioners closed the said Commission and herewith returns the same under his hand and seal,

this 7th day of August 1860.

James B. Rooters,  Commissioner

Cost of executing commission			
Commissioner	1 day	\$ 4.00	}
clerk	1 "	2.50	
Joseph Richardson	1 " Witness	.75	
William E. Mason	1 " "	.75	
William A. Barton	1 " "	.75	
			\$ 8.75

Therefore the court passed the following decree, to wit:-

Ann Bonville next friend of	}	In the Circuit Court of Queen Anne's County sitting in Equity.
Eugene Bonville & others		
vs		
Eugene Bonville & others		July Term 1860.

This cause standing ready for hearing & being submitted without argument the proceedings were read and considered.

It is therefore this seventh day of August in the year Eighteen Hundred & sixty by R. B. Carmichael judge of the Circuit Court of Queen Anne's County adjudged ordered & decreed that the real estate mentioned in the proceedings be sold for the purposes of partition between the parties.

That John M. Robinson of Centreville be & he is hereby appointed Trustee to make such sale; & that the course and manner of his proceeding shall be as follows: he shall first file in the clerk's office of the Circuit Court of Queen Anne's County as bond to the State of Maryland, executed by himself and surety or sureties to be approved by the clerk of said court in the penalty of ten thousand dollars conditioned for the faithful performance of the trust reposed in him by this decree or what may be reposed in him by any future order or decree in the premises he shall proceed to make sale of the real estate having given at least three weeks notice inserted in some newspaper printed in Queen Anne's County & such other notice as he may think proper of the time, place & manner & terms of sale: which terms shall be as follows: two hundred dollars cash on the day of sale & the residue of the purchase money to be paid in three equal instalments of one, two and three years with interest on said instalments from the first day of January Eighteen Hundred & sixty one, the rent from said real estate for the present year being reserved by the Trustee for the benefit of the heirs. And soon as may be convenient after such sale the said Trustee shall return to this court a full & particular account of the same with an affidavit of the truth thereof & of the fairness of such sale annexed. And on the ratification of such sale or on the payment of the whole purchase money (& not before) the said Trustee by good & sufficient deed to be executed & acknowledged agreeably to Law shall convey to the purchaser or purchasers of said property & to his her or their heirs, the property to him her or them sold free clear & discharged of all claim of the parties to this cause & of any person or persons claiming by from & under them. And the said Trustee shall bring into this court the money arising on such sale or sales and the bonds or notes which may be taken for the same to be disposed of under the directions of this court after deducting therefrom the costs of this suit & such commission to the said Trustee as this court shall think proper to allow on consideration of the skill attention & fidelity wherewith he shall appear to have discharge his trust.

R. B. Carmichael


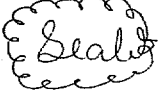
Therefore John M. Robinson Esq. the Trustee named in the aforesaid decree files in court here his bond, in the words following, to wit:

Know all men by these presents that we John M. Robinson and Pere Skilmer of Queen Anne's County in the State of Maryland are held and formerly bound unto the State of Maryland in the sum of ten thousand dollars current money to be paid to the said State or its attorney, to which payment well and truly to be made and done we bind ourselves our & each of our heirs Executors & administrators jointly & severally, firmly by these presents & sealed with our seals and dated this thirteenth day of September in the year Eighteen hundred and Sixty,

Whereas by a decree of the Circuit Court of Queen Anne's County passed at the August Term 1860 in a cause in which Ann Bonville next friend of Eugene Bonville & others were complainants and Eugene Bonville & others defendants, the above named John M. Robinson was appointed Trustee to make sale of the real estate in the proceedings mentioned.

Now the condition of the above obligation is such that if the above bound John M. Robinson shall well and truly perform his duty as trustee in above cause referred in him by said decree or that may be referred in him by any future decree or order in the premises then the above obligation to be void otherwise to remain in full force & virtue in Law.

Signed, sealed & delivered
in presence of
Henry A. Kellogg

John M. Robinson 
Pere Skilmer 

On the back of the foregoing bond was thus endorsed to wit:
Security Approved the 15th day of September 1860.
M. Brown, clk.

Therefore further process of and upon the premises aforesaid is further continued by regular continuances from term to term of said court until the fourth Monday of July in the year Eighteen hundred and sixty four at which said day came into court here as well the said Ann Bonville next friend of Eugene, Anna, and Mary Bonville by her Solicitor aforesaid and the said Eugene, Anna, and Mary Bonville by their Solicitor aforesaid, Therefore John M. Robinson Esq. the Trustee named in the aforesaid decree files in court here his report of sales, in the words following to wit:

Ann Bonville next friend of Eugene Bonville & others vs Eugene Bonville & others

In the Circuit Court of Queen Anne's County in Equity.
July Term 1864

The report of John M. Robinson, Trustee appointed by the decree in this cause to make sale of certain real estate therein mentioned shows: that after giving bond with security for the faithful discharge of his trust as required by said decree and giving notice of the time place manner and terms of sale by advertisement in the States Rights a newspaper printed in Centerville Queen Anne's County for more than three successive weeks before the day of sale and by hand bills extensively circulated through out said County he did pursuant to said notice on the fifth day of September in the year 1860 offer at public sale in the town of Hillsborough the said town being about two miles distant from the farm, all that tract or parcel of land called "Partnership" containing three hundred and three acres more or less and sold the same to Frances P. Morgan at and for the sum of fifteen dollars and seventy cents per acre, subject to

the dower right of Ann Bonville, making the whole purchase money four thousand seven hundred and twenty six dollars & eighteen cents, two hundred dollars of said purchase money having been paid in cash on day of sale, and the residue secured by the bond of purchaser with sureties satisfactory to the Trustee payable in three equal instalments of six, twelve & eighteen months, with interest from Jan'y 1st 1861 the rents for the year 1860 being reserved.
Which is respectively submitted.

Jno. M. Robinson
Trustee

On this 2^d day of August in the year 1864 before the subscriber a Justice of the Peace of the State of Maryland for Queen Anne's County personally appeared the within named John M. Robinson Trustee and made oath that the matters & things stated in the foregoing report are true to the best of his knowledge & belief and that the sale therein reported was fairly made.

Jno. H. Rowleson

Whereupon the court passed the following Order, to wit:

Ann Bonville next friend of
Eugene Bonville & others

vs

Eugene Bonville & others

} Circuit Court for Queen Anne's County.
August 2^d, 1864

Ordered that the sale made and reported by John M. Robinson Trustee for the sale of the real estate in above cause be ratified and confirmed unless cause to the contrary thereof be shown on or before the seventh day of November next, provided a copy of this order be inserted in some paper printed in Queen Anne's County once in each of three successive weeks before the first day of October next. The report states amount of sales \$4726.18

J. B. Ricard

Whereupon further process of and upon the premises aforesaid is further continued by regular continuances from term to term of said court until the fourth Monday of January in the year Eighteen Hundred and sixty five at which said day comes into court here as well the said Ann Bonville next friend of Eugene, Anna and Mary Bonville by her solicitor aforesaid and the said Eugene Bonville, Anna Bonville and Mary Bonville by their solicitor aforesaid. And upon which said day the Honorable John M. Robinson having announced his disqualification to sit in said cause, and thereupon the following agreement was filed, to wit:

Ann Bonville next friend of
Eugene Bonville

vs

Eugene Bonville

} It is agreed that Lloyd Tilghman Esq. be appointed Special Judge in above cause.

John B. Brown
Sole. for complainants
P. B. Hopper Sole. for depts.

Whereupon the court passed the following order, to wit:

Ann Bonville, next friend of
Eugene Bonville & others

vs

Eugene Bonville & others

} In the Circuit Court of Queen Anne's County

Jan'y Term 1865

Ordered that the sales within reported be & the same are hereby ratified & confirmed no cause to the contrary thereof having been shown although notice appears to have been given as directed by the proceeding order.

Lloyd Tilghman
Special Judge

Thereupon P. B. Hopper Esq. the Auditor of said Court filed in Court here his report in the form and words following to wit:

Ann Bonville next friend &c

vs

Eugene Bonville & others

To the Judge of the Circuit Court for Queen Anne's County.

The Auditor respectfully reports that he has examined the proceedings in this cause and has therefrom prepared the following account between the Real estate mentioned in the proceedings and J. M. Robinson Esq. Trustee for the sale thereof. In the account he has allowed to the Trustee his commission according to the rule of Court adopted in May 1864, also his expenses not personal to the complainants and defendants each their costs of suit as per bill of same made by the clerk and filed, and to the Auditor his fee for stating this account, the balance he divided equally between the three tenants in common giving to each \$1479.09

P. B. Hopper, Auditor
April 10th 1865

To The Real Estate of Eugene Bonville & others in acct with J. M. Robinson Trustee for the sale thereof.

1860	To the Trustee for his commission			194	04
Sept 15	To the Trustee for his expenses			19	12
	To the complainants for their costs of suit viz:				
	Solicitor	20	00		
	M. Brown clerk	10	80		
	J. Wothers clerk		40		
	S. E. Dyott, clerk	2	90		
	Same further probable costs	12	00		
	J. Wothers comm to take testimony	4	00		
	M. Brown jr. clerk to same	2	50		
	Joseph Richardson witness		75		
	W. E. Mason "		75		
	W. A. Barton "		75		
	Sheriff	1	35	56	21
	To the defendants for their costs viz:				
	Solicitor	10	00		
	M. Brown, clerk.	3	15		
	J. Wothers, clerk.		60		
	S. E. Dyott, clerk.	1	30	15	15
	To the Auditor			4	50
	To Eugene Bonville			288	91
	To Anna Bonville	1479	09	1479	09
	To Mary Bonville	1479	09	1479	09
		1479	09	1479	09
				4726	18

1860

Sept
15

Pay Amount of proceeds of real Estate as per Trustees report filed

4726 18

62

4726 18

P. B. Hooper, Auditor

Thereupon further proceeds of and upon the premises aforesaid is further continued by regular continuances from term to term of said court until the fourth Monday of July in the year eighteen hundred and sixty seven at which said ^{comes} into court here as well the said Ann Bonville next friend of & c by her Solicitor aforesaid and the said Eugene Bonville, Anna Bonville and Mary Bonville by their Solicitor aforesaid, and thereupon upon the court passed the following Order, to wit:-

Ordered this 30th day of July 1867 that the within Auditors Report be and is ratified and confirmed, and the Trustee is directed to distribute the funds accordingly & to pay to the Guardians of the infants the respective proportions to which they are entitled including one proportion of interest.

Lloyd Tilghman
Special Judge

John R. Hopkins
vs
Pere Lee, J. N.
William Dadds

Be it remembered that on the 10th day of April in the year Eighteen Hundred and sixty five, John R. Hopkins by P. R. Hooper Esq. his Solicitor filed in Court here his Bill of Complaint against Pere Lee, J. N. and William Dadds, in the words following, to wit:-

To The Hon. John M. Robinson Judge of the Circuit Court for Queen Anne's County. The Bill of Complaint of John R. Hopkins of Talbot County, who sues for himself and for other Creditors of William Griffin J. N. who will come in and contribute to the Expenses of this Suit, humbly shews, that a certain William Griffin J. N. of Queen Anne's County deceased, was in his life time indebted unto one Pere Coursey in the sum of forty six dollars and fifty cents on account for matters and things properly chargeable in account, as appears by said account herewith filed marked Exhibit "A" and prayed to be taken as a part of this Bill; that on the 14th day of September in the year Eighteen Hundred and sixty four, the said Pere Coursey assigned the said account to your orator as appears by the assignment in writing endorsed on said account; and your orator further charges, that the said William Griffin being indebted as aforesaid to the said Pere Coursey and also unto divers other persons in other sums of money, and having some real Estate, being a lot of about two acres of land with a dwelling and other improvements thereon and which was conveyed to Nancy Griffin, mother of the said William Griffin by William Wood, from which said Nancy, the said William inherited the same, but having no personal estate departed this life some time in the year Eighteen Hundred and sixty one intestate, and leaving Perry Lee J. N. his only heir at law. your Orator further makes known that since the death of the said William Griffin, one William Dadds has taken possession of said lot and premises, but as your Orator alleges without any color of right or title, and still holds possession of the same, so that it is necessary as your orator is advised to make him a party to this bill in order to have the proper relief afforded by this Court.

Your Orator is also advised that in as much as the said William Griffin left no personal estate applicable to the aforesaid claim, and the claims of his other creditors, that he and they are entitled to have the said real estate sold in whosever hands it may be, for the purpose of paying his and their claims against the said deceased.

To the end therefore that the defendants herein after named may answer the several matters and things herein before set forth as fully and particularly as if the same were herein again repeated and they were hereunto interrogated, and that the aforesaid real estate or so much thereof as may be necessary for the purpose may be decreed to be sold for the payment of the aforesaid debt due to your orator, and of the other debts of said intestate, and that your orator may have such further and other relief as his case may require.

May it please your Honor to grant unto your orator the writ of Subpoena against the said Pere Lee J. N. and the said William Dadds of Queen Anne's County commanding them to appear in this Court at some certain day to be therein named to answer the premises, and abide by and perform such decree as may be passed therein and as in duty bound &c

P. R. Hooper, Sol^r for
Complainant,

Thereupon Subpoena was issued in the form and words following, to wit:
Queen Anne's County, to wit:

The State of Maryland.

Seal
Circuit Court
Queen Anne's Co.

To Pere Lee J. N. and William Dadds of Queen Anne's County; Greeting: You are hereby commanded that all excuses and delays, set aside, you personally appear before the Circuit Court for Queen Anne's County, to be held at Centerville in said County on the first Monday of May next, to answer unto the Complaint of John R. Hopkins against you in the said Court exhibited: Hereof fail not as you will answer the contrary at your peril. Witness the Honorable John M. Robinson Judge of our said Court the 23rd day of January 1865.
Signed this 10th day of April 1865

Samuel E. Dyott, Clerk

Seal
Circuit Court
Queen Anne's Co.

And afterwards to wit: on the 27th day of April in the year Eighteen Hundred and sixty five, William F. Ford Esq. the Sheriff of Queen Anne's County makes return of the execution of the afore cited Subpoena thus endorsed, to wit:
Summoned
Wm. F. Ford, Shff.

Thereupon further process of and upon the premises aforesaid is further continued by regular continuances from term to term of said Court until the fourth^{Mon.} day of July in the year Eighteen Hundred and sixty six, comes into Court here as well the said John R. Hopkins by P. R. Hooper Esq. his Solicitor and the said Pere Lee J. N. and William Dadds by their Solicitor aforesaid, Whereupon the following suggestion was filed, to wit:

John R. Hopkins vs Pere Lee J. N. William Dadds	}	In the Circuit Court for Queen Anne's County Sitting as a Court of Equity
--	---	--

The death of Wm. Dadds is suggested in the above case, and no new party as his representative is desired to be made, he having in his life time attorned to Pere Lee as his tenant as appears by his agreement herewith filed
P. R. Hooper
for Complainant

Thereupon the following answer was filed, to wit:-
The Answer of Pere Lee J. N. to the bill of complaint of John R. Hopkins against him and William Dadds in the Circuit Court for Queen Anne's County exhibited, This respondent admits the several matters and things set forth in the said bill to be true and submits to such decree in the premises as to this honorable Court may seem right.
Lloyd Talghman
Solicitor for Respondent

Whereupon the Court passed the following decree, to wit:

John R. Hopkins
vs
Pere Lee J. N.

In the Circuit Court for Queen Anne's County.

This cause standing ready for hearing and being submitted without argument the proceedings were read and considered.

It is therefore this 31st day of July in the year Eighteen Hundred and sixty six by John M. Robinson Judge and by the authority of this Court adjudged, ordered and decreed, that the real estate in the proceedings mentioned be sold for the purpose mentioned in the Bill of Complaint. That P. B. Hopfer of Queen Anne's County be and he is hereby appointed Trustee to make sale, and that the course and manner of his proceeding shall be as follows: He shall first file with the clerk of this Court a bond to the State of Maryland, executed by himself with a surety or sureties to be approved by me or the clerk of this Court, in the penalty of one thousand dollars conditioned for the faithful performance of the trust reposed in him by this decree which may be reposed in him by any future order or decree in the premises, He shall then proceed to make sale of the real estate mentioned in the proceedings, having given at least three weeks previous notice, of the time, place, manner and terms of sale, inserted in some newspaper printed at Centerville Queen Anne's County and such other notice as he may think proper; the terms of sale to be one hundred dollars in cash on the day of sale and the residue to be paid in two equal instalments of six & twelve months from the day of sale the deferred payments to bear interest from the day of sale and the payment thereof to be secured by the bond or bonds of the purchaser or purchasers with a surety or sureties to be approved by the Trustee, and as soon as may be convenient after any such sale or sales, the said Trustee shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof, and of the fairness of such sale or sales annexed and on the ratification of such sale or sales by this Court, and on the payment of the whole purchase money (and not before) the Trustee by a good and sufficient deed, to be executed and acknowledged agreeably to law, shall convey to the purchaser or purchasers of said property, and to his, her or their heirs, the property to him, her, or them sold, free clear and discharged of all claim of the parties to this suit and of any person or persons claiming by force or under them, and the said Trustee shall bring into this Court the money arising on such sale or sales, and the bonds or notes which may be taken for the same, to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit, and such commission to the said Trustee as this Court shall think proper to allow on consideration of the skill, attention and fidelity, wherewith he shall appear to have discharged the same.

Jno. M. Robinson

Thereupon further process of and upon the premises aforesaid is further continued until the first Monday of November next at which said first Monday ^{of November} in the year Eighteen Hundred and sixty six comes into Court here as well the said Jno. R. Hopkins by P. B. Hopfer Esq. his Solicitor and the said Pere Lee J. N. by Lloyd Fulghman Esq. his Solicitor, thereupon P. B. Hopfer Esquire the Trustee named in the aforesaid Decree filed in Court here his bond in the words following, to wit:

Know all men by these presents that we Philemon B. Hopfer and Maltrick as George of Queen Anne's County in the State of Maryland are held and

firmly bound unto the State of Maryland in the full and just sum of one thousand and dollars current money, to be paid to the said State or its certain attorney, to which payment well and truly to be made and done we bind ourselves and each of us our and each of our heirs, executors and administrators jointly and severally firmly by these presents, sealed with our seals and dated this * * * * * day of August Eighteen Hundred and sixty six. Whereas by a decree of the Circuit Court for Queen Anne's County bearing date on the thirty first day of July Eighteen Hundred and sixty six and passed in a cause in the said Court wherein John R. Hopkins was complainant and Pere Lee & Co. was defendant the above bound P. P. Hopper has been appointed Trustee to make sale of certain real estate in the proceedings in said cause mentioned.

Now the condition of the above obligation is such, that if the above bounden P. P. Hopper do and shall, well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future order or decree in the premises, then the above obligation to be void, otherwise to remain in full force and virtue in law.

Signed, sealed and delivered

P. P. Hopper Seal

In the presence of James W. Chambers

Matthias George Seal

On the back of the foregoing bond was thus endorsed to wit:

The within bond with security approved and filed this 27th day of Dec. 1866. Saml. E. Dyott, Clerk

Thereupon further process of and upon the premises aforesaid is further continued by regular continuances from term to term of said Court until the first Monday of May in the year Eighteen Hundred and sixty seven at which said day came into Court here as well the said John R. Hopkins by P. P. Hopper Esq. his Solicitor aforesaid and the said Pere Lee by Lloyd Talghnum Esq. his Solicitor aforesaid, Whereupon P. P. Hopper Esq. the Trustee named in the foregoing decree filed in Court here his Report of Sales in the words following, to wit:

John R. Hopkins
vs
Pere Lee & Co.

In the Circuit Court for Queen Anne's County &c

To the Hon. Jno. M. Robinson, Judge

The Trustee respectfully reports that after having given more than three weeks previous notice by advertisement in the Citizen a paper published in Centreville Queen Anne's County of the time place, manner and terms of sale, and by handbills circulated in the said County, he attended at the store of Saml. W. Thomas near Wye Mills pursuant to said notice on the 25 day of August Eighteen Hundred and sixty six and at the time mentioned therein and then and there proceeded to sell the real estate mentioned in the proceedings and decreed to be sold; at which said sale Samuel W. Thomas being then and there the highest bidder became the purchaser thereof for and at the price of Three Hundred and five dollars; that having paid the cash payment of one hundred dollars he gave his bond with Mr. George as his security for the balance payable in equal instalments in six and twelve months from said day of sale, at the time of advertising the sale of said land the Trustee gave notice to creditors to file claims properly authenticated with the clerk of this Court.

The Trustee further reports that he has filed his bond as required by the decree.

P. B. Hopper, Trustee

Maryland, Queen Anne's Co. to wit:

On this 16th day of May in the year 1867 before the subscribers a Justice of the Peace in and for the County aforesaid personally appeared the within named P. B. Hopper Trustee and made oath that the matters and things stated in the foregoing report are true to the best of his knowledge and belief, and that the sales therein reported were fairly made.

A. W. Arlett, J. P.

Whereupon the Court passed the following Order to wit:—
 In the Circuit Court for Queen Anne's County; May 16th, 1867, Ordered that the sale made and reported by P. B. Hopper Trustee for the sale of the real estate of Wm. Griffin (decd.) deceased be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 28th day of July next provided a copy of this order be inserted in some newspaper printed at Centerville, Q. A. Co. once in each of three successive weeks before the 28th day of July next. The report states the amount of sales to be \$ 305.00

Samuel E. Dyott, Clerk

Whereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of July next at which said fourthth day of July Eighteen Hundred and sixty seven, comes into Court here as well the said John R. Hopkins by P. B. Hopper Esq. his Solicitor aforesaid and the said Pere Lee by Lloyd Fairman Esq. his Solicitor aforesaid. Whereupon the Court passed the following Order, to wit:

Ordered this 30th of July 1867. That the sale within reported be and the same is hereby ratified and confirmed, no cause to the contrary thereof having been shown, although notice appeared to have been given as required by the preceding order, the Trustee is allowed his commission according to the scale now adopted by this Court, and all expenses not personal.

Jno. M. Robinson

Whereupon P. B. Hopper Esq. the Auditor of this Court files in Court here his report in the words following, to wit:

John R. Hopkins

vs
 Pere Lee & Co.

To the Hon. J. M. Robinson Judge.

In the Circuit Court for Queen Anne's County sitting as a Court of Equity.

The Auditor respectfully reports that he has examined the proceedings in this cause and has therefrom prepared the following account between the real estate of Wm. Griffin f. B. deceased and P. B. Hopper Trustee for the sale thereof in which he has allowed to the Trustee his commission according to the Chancery scale, and his expenses, to the complainants and Defendants each their costs of suit to the Auditor his fee and to claims No 1. & 2 the only ones filed, the amounts to which they are entitled, these allowances left a balance of one Hundred and forty six dollars and five cents which was assigned to Pere Lee & Co the heir at law of Wm. Griffin decd.

And the account it will be seen that the Trustee has charged himself

with the interest received.

P. B. Hooper
Auditor July 12th 67

To the Real Estate of William Griffin decd. in acct with P. B. Hooper Trustee
for the Sale thereof

To the Trustee for his Commission			21	35
To the Trustee for his Expenses			20	73
To the Complainant for his costs viz:				
Solicitor	20	00		
L. E. Dyott, clerk for fees accrued	5	10		
Same for Probable fees	10	00		
W. J. Ford Shff		90		
Stamps		50	36	50
To the Defendants for their costs viz:				
Solicitor	10	00		
Saml. C. Dyott clerk	2	20	12	20
To the Auditor for his fee			4	50
To the Complainant for claim No. 1.			63	34
To Joshua Boursey use of Complainant No. 2.			10	88
To Pere Lee J. R. here at Law			146	05
			<u>315</u>	<u>55</u>

less

	Dolls	Cts
Pay amount of proceeds of sale as per Trustee's report of same	305	00
" Amount of interest received on same	10	55
	<u>315</u>	<u>55</u>

P. B. Hooper, Auditor
July 12th 1867

Therefore the Court passed the following Order, to wit:
Ordered this 30th July 1867 that the within Auditor's report be ratified and confirmed, no cause to the contrary appearing although it has been filed in Court the prescribed time, the Trustee is directed to pay over to the persons entitled according to the account, with a due proportion of interest received to the claimant allowed and the portion of proceeds allowed to Pere Lee.

Pro M. Robinson

Queen Annes County, to wit: Be it remembered that at a Circuit Court for Queen Annes County begun and held at Centerville in said County, on the first Monday of November in the year eighteen hundred and sixty six, Francis R. Irons of Queen Annes County, by Philemon B. Hopper Esquire, his Attorney, preferred his petition to the Judge of said Court in the following words, to wit:

To the Honorable J. M. Robinson Judge of the Circuit Court for Queen Annes County.

The Petition of Francis R. Irons of Queen Annes County respectfully sheweth that his father James H. Irons departed this life sometime in the month of January in the year eighteen hundred and sixty five intestate seized and possessed of the following real estate viz: A lot in the village of Church Hill in this County containing one fourth of an acre of land more or less lying on the street leading to Beaver Dams, improved with a dwelling and outhouses, also another lot adjoining to the same, containing one acre of land more or less improved by a Wheelwright Shop and another tenement now used as a shoe shop, and also a third lot containing twenty acres more or less, adjoining the property which was lately the property of Solomon Betts and the Methodist Protestant Church and bounded on the North and West by South East Creek, and the lane leading from Church Hill to Moodys Landing and which there is a small tenement house, that the said James H. Irons left at the time of his death surviving him a widow who has since departed this life and the following children heirs at law, to wit: Your petitioner Francis R. Irons, James C. Irons, Nancy C. Godwin wife of Warner S. Godwin, Margaret Jane Irons, Mary A. Irons and John H. Irons, the three last of whom are minors under the age of Twenty one years.

Wherefore your petitioner prays that a commission may issue agreeably to the provisions of the act of Assembly in such case made and provided to five discreet and sensible men to be Commissioners, authorizing and empowering them or a majority of them, to proceed in the premises according to law, and divide and make partition of the said estate fairly and equally in value between all the parties interested according to their just proportions, and your petitioner will ever pray &c

P. B. Hopper Atty. for
Petitioner

Whereupon in pursuance of the act of Assembly in such case made and provided, the said Court direct a commission to be issued to Washington Dinsley, George C. Trenchard, William H. Gafford, W. J. Today and John H. Ruth, five discreet and sensible men, which said commission according to law, as follows, to wit:

Maryland ss. Queen Annes County, to wit: To Washington Dinsley, G. C. Trenchard, W. J. Today, John H. Ruth of Queen Annes County Gentlemen, greeting. Whereas at a Circuit Court for Queen Annes County, begun and held at Centerville in said County, on the first Monday of November in the year eighteen hundred and sixty six, Francis R. Irons of Queen Annes County preferred his petition in writing to the Judge of the said, setting forth and alleging that James H. Irons departed this life sometime in the month of January in the year eighteen hundred and sixty five, intestate, seized and possessed of the following real estate, viz: A lot in the village of Church Hill in the County, containing one fourth of an acre of land more or less, lying on the street leading to Beaver Dams, improved with a dwelling and out houses, also another lot adjoining the same containing one acre of land, more or less, improved by a Wheelwright Shop, and another tenement now used as a Shoe Shop and also a third lot containing twenty acres more or less,

Seal's
Place

adjoining the property which was lately the property of Solomon Betts and the Methodist Protestant Church and bounded on the North and West by South East Creek and the lane leading from Church Hill to Moody's Landing and on which there is a small tenement house, That the said James H. Irons left at the time of his death, surviving him, a widow, who has since departed this life, and the following children his heirs at law, to wit. Francis R. Irons, James E. Irons, Nancy C. Godwin wife of Warner C. Godwin, Margaret Jane Irons, Mary A. Irons, and John H. Irons the three last of whom are minors under the age of twenty one years, and praying that a commission may issue agreeably to the laws of the State of Maryland in such case made and provided, to five discreet and sensible men authorizing them or a majority of them to proceed on the premises according to law and value divide and make partition of said Real Estate fairly and equally among all the parties entitled thereto, according to their several just proportions &c. Be it therefore known that the said Court has appointed Commissioners in the premises and you or a majority of you are hereby authorized and empowered, having first taken the oath hereunto annexed, and giving the notice hereinafter prescribed to enter upon the said Real Estate and determine whether it will admit of being divided without loss and injury to all the parties entitled, and ascertain the value of the real estate in current money, taking into consideration any incumbrance thereon, and value the estate subject to the incumbrance, and if the estate can in your opinion and judgment, or in the opinion and judgment of a majority of you, be divided without loss and injury to all the parties entitled, then you shall divide and make partition of the same fairly, equally in value, between all the parties interested according to their several just proportions, and if the estate cannot be divided equally and fairly, between all the parties interested according to their several just proportions, then you or a majority of you have power to divide the estate into as many parts as it is susceptible of without loss or injury to all the parties entitled, and ascertain the value of each part of the estate in current money, subject to any incumbrance thereon, and if you or a majority of you shall determine that the estate cannot be divided without loss and injury to all the parties entitled then you shall make return of your judgment and the reasons upon which the same is formed, and the real value of the estate in current money subject to the incumbrance if any thereon, And if you or a majority of you shall determine that the estate can be divided in either of the ways hereinbefore mentioned, without loss and injury to all the parties then you shall cause the lands to be surveyed and laid out by the County Surveyor for the several parties, and if the estate shall be divided between all the parties interested according to their several just proportions, then you or a majority of you shall allot to the several parties their respective shares of said land, and you or a majority of you before you proceed to execute this Commission, shall cause notice to be given to all the parties concerned, if they reside within this State by advertisement set up at the door of the Court House of the County, aforesaid, and in such other public places in the County as you may direct, at least thirty days prior to your proceeding to execute this Commission, and if the parties or any of them reside out of the State of Maryland, then you or a majority of you, before you proceed to execute this Commission, shall cause notice thereof to be given by advertisement set up at the door of the Court House in the County, aforesaid and in such other public places in the said County, as you may direct, and also in such newspaper or newspapers as you may direct at least two months previous to your proceeding to execute this Commission, and you or a majority of you, having made partition or allotment in manner aforesaid, shall make your return of your proceedings under this Commission to the next Circuit Court for Queen Anne's County to happen thereafter, and this shall be your sufficient authority.

Witness the Honorable John M. Robinson Judge of the said Court this fifth day of November Eighteen hundred and sixty six.

Issued this 24th day of November 1866.

Samuel E. Dyott, Clerk

Commissioners Court

Queen Anne's County, to wit: Be it remembered that on the 26th day of February in the year eighteen hundred and sixty six, before me the subscriber one of the State of Maryland's Justices of the Peace in and for Queen Anne's County, ofore said personally appeared D^r Washington Finley, G. O. Trenchard, William A. Gafford, William T. Todd, and John A. Ruth and made oath on the Holy Evangelij of Almighty God that they will well and faithfully perform the duties required of them by foregoing Commission and all duties assigned them under article forty seven of Public General Laws of the State of Maryland, and that they will proceed in the execution and completion of the said Commission without favor, partiality or prejudice and according to the best of their judgment and understanding.

Sworn before

Ja^s B. Ruth J. P.

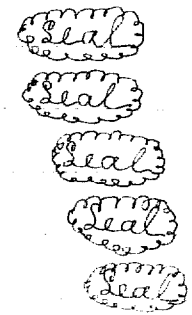
And thereupon further process of and upon the premises aforesaid was by order of the Court here, continued until the first Monday of May next, at which said first Monday of May in the year Eighteen hundred and sixty seven, comes into Court here, the said Francis H. Drons by his Attorney aforesaid, and the Commissioners aforesaid make return to the Court of their proceedings under the said Commission, in manner following, to wit:

The sub-scribers, appointed by the Hon Circuit Court of Queen Anne's County, Maryland to value and divide the real estate of the late James H. Drons of said County, beg leave to make the following report:

That in compliance with law we took the oath and gave the proper notice as specified in the Commission returned with this report, and entered upon the premises on the first day of April 1867, and after careful examination and consultation concluded that the said real estate could not be divided into as many parts, as there were heirs, without loss and injury to said heirs, but did conclude that it was susceptible of being divided into two parts viz: A lot containing near an acre of land improved by a two story dwelling, a small store house and an old Wheelwright & Blacksmith Shop, situated in the village of Church Hill Queen Anne's Co. valued by us at One thousand seven hundred dollars.

Also lot of land containing about twenty acres, on which there is a small one story house, adjoining the Village of Church Hill, valued by us at eight hundred dollars, as witness our hands and seals this 6th day of April 1867.

Washington Finley
Geo. O. Trenchard
Wm. A. Gafford
W. T. Todd
John A. Ruth



Recapitulation

N ^o 1 Lot with dwelling, and other houses, value	\$1700
" 2 " land about 20 acres with house	" 800
Total	<u>\$2500</u>

Whereupon the said return being read and considered by the Court, it is ordered and adjudged by the said Court, that the judgment of the Commissioners and the return aforesaid, be ratified and confirmed unless cause to the contrary thereof be shown, on or before the first Monday of November next, until which said day further process of and upon the premises aforesaid is further continued, at which said first Monday of November in the year eighteen hundred and sixty seven, comes into Court here, the said Francis H. Drons by his Attorney aforesaid, whereupon it is

considered by the Court here, that the judgment of the Commissioners and the return aforesaid, be finally ratified and confirmed, no cause to the contrary thereof having been shewn. And thereupon it was ordered by the Court here, that Francis R. Irons being the person entitled to elect, may elect to take the said real estate at the valuation set on it by the Commissioners, and pay to the other persons entitled their respective proportions of the valuation thereof in money; whereupon the said Francis R. Irons comes into Court here, in his proper person, and elects to take all that part of said land consisting of a lot of land containing one acre, and improved by a Wheelwright and Blacksmith Shop, two story dwelling, and store house situate in Church Hill, at the valuation set thereon by the Commissioners, and pay to the other persons entitled their respective proportions of the valuation thereof in money, and the said Francis R. Irons also refuses to take any other part of the said land at the valuation aforesaid. Whereupon, John T. Tucker by Philemon B. Hopper Esquire, his Attorney, comes into Court here, and files a petition in the following words, to wit: Petition to divide the Real Estate of James A. Irons dec'd.

To the Hon. J. M. Robinson Judge
The petition of John T. Tucker respectfully represents that he is the alienee of James C. Irons and Nancy Elizabeth Godwin wife of Warner Godwin so far as regards the the lot mentioned in the Commissioners report as containing 20 acres valued at eight hundred, and that he is also the purchaser of the interest of Francis A. Irons, who is now in Court in the same lot, although he has not yet received a conveyance for the same. He further makes known that the said James C. Irons is the second eldest male heir of the James A. Irons and entitled to elect as his alienee the lands and premises not taken by the by the said Francis R. Irons, to wit, the aforesaid lot valued at \$800.00. He therefore prays your Honor that he may be permitted to elect to take the same at the valuation and give his bond to the other parties according to the law in such cases made and provided -- And as in duty bound &c
P. B. Hopper for Petitioner

Which said petition being read and by the Court here considered, thereupon the Court passed the following order, to wit:

Ordered on the foregoing petition this 9th day of November 1867 that John T. Tucker the within named petitioner be and he is hereby authorized to elect to take the lot of twenty acres refused to be taken by Francis R. Irons in right of James C. Irons within named, and that he give his bond with proper penalty conditioned for the payment to the three heirs whose interest he has not purchased, of their just proportions of the valuation put upon said lot by the Commissioners appointed in this cause.

John M. Robinson
Thereupon, the said John T. Tucker comes into Court here, in his proper person, and elects to take lot mentioned in Commissioners report as containing twenty acres of land, at the valuation set thereon by the Commissioners, and pay to the other persons entitled their respective proportions of the valuation thereof in money. And afterwards to wit, on the twenty first day of November in the year last aforesaid, the said John T. Tucker files in Court here, the following Bond to wit:

Know all men by these presents that we John T. Tucker Alfred Tucker and W. A. Johnson all of Queen Annes County in the State of Maryland are held and firmly bound unto the State of Maryland in the full and just sum of Eight Hundred dollars current money of the United States of America to be paid to the said State or to its certain Attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this twenty first day of November Eighteen hundred and

sixty seven.

Whereas the said John T. Tucker as alienee of James C. Irons has elected to take a lot in the town of Church Hill containing twenty acres more or less and designated as lot N^o 2 in the Commissioners report who were appointed by the Circuit Court of Queen Annes County to value and divide the real estate of James A. Irons deceased, and which said report is filed among the proceedings in said Court had under the petition of Francis H. Irons for the division of said real estate, and whereas the said John T. Tucker, being the purchaser of their interests of the said Francis H. Irons and of Nancy E. Godwin wife of Warner E. Godwin in addition to that of the said James C. Irons, was directed by the said Court to give bond for the payment to Margaret Jane Irons, who has arrived to age since the filing of said petition, Mary A. Irons and John A. Irons both of whom are minors.

Now the condition of the above obligation is such that if the above bound John T. Tucker his executors administrators or heirs shall well and fully pay to the said Margaret Jane Irons the sum of One hundred and thirty three dollars and thirty three and one third cents in two equal instalments in six and twelve months with interest from the ninth day of the present month November, and shall also well and fully pay to the said Mary A. Irons and John A. Irons upon their respective arrivals at the age of twenty one years each the sum of One hundred and thirty three dollars and thirty three and one third cents, and shall in the mean time pay to their lawful guardian or guardians annually the interest on the amount due them respectively, the interest to be taxed from the said ninth day of November, then these presents to be void, otherwise to be and remain in full force and virtue in law.

Signed sealed and delivered
in the presence of
R. Goldsborough

John T. Tucker
Alfred Tucker
W. A. Johnson



On which said Bond was thus endorsed to wit: The within bond with security approved by order of Court.

Samuel C. Dyott, Clk

And afterwards to wit: On the twenty ninth day of November in the year last aforesaid, the said Francis H. Irons files in Court here, the following Bond to wit:

Know all men by these presents, that we Francis H. Irons, John D. Elliott, & Francis W. Johns, W^m C. Temple all of Queen Annes County in the State of Maryland are held and firmly bound unto the State of Maryland in the full and just sum of Twenty two hundred and sixty seven dollars, to be paid to the said State or to its certain Attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, sealed with our seals and dated this 21st day of November Eighteen hundred and sixty seven.

Whereas the said Francis H. Irons has elected to take all that lot of ground in Church Hill containing about one acre of land, improved by a two story dwelling a small store house & old Wheelwright and Blacksmith shops valued at seven teen hundred dollars and which said lot is designated as lot N^o 1 in the report of the Commissioners appointed by the Circuit Court of Queen Annes County to value and divide the real estate of James A. Irons deceased, which said report is filed among the proceedings under the petition of the said Francis H. Irons to value and divide the said real estate, and whereas the said Francis H. Irons having purchased the interest of James C. Irons in the property elected to be taken by him, is required to give us bond for the payment of the other

heirs at law their proportion respectively of the valuation put upon said property.

Now the condition of the above obligation is such, that if the above bound Francis H. Irons his heirs, executors or administrators do and shall well and truly pay to Nancy E. Godwin wife of Warner S. Godwin and to Margaret Jane Irons who has arrived to the age of twenty one years, each the sum of Two hundred and eighty three dollars thirty three and one third cents in two equal instalments with interest from the ninth day of the present month, November, after crediting upon the share of each one sixth of the costs incurred under his said petition, and shall also pay to Mary A. Irons & John H. Irons, upon their arrival respectively at the age of twenty one years, each the sum of Two hundred and eighty three dollars and thirty three and one third cents, after crediting as of the date of his election one sixth of costs under his petition upon each of their amounts, and shall pay annually in the meantime to the guardian or guardians the interest on said nett amount, taxing it from the said ninth day of November, then these presents shall be void, otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of
Jas B. Ruth
Chas A. Weakley

Francis H. Irons
J. D. Elliott
J. W. Johns
William E. Temple

On which said Bond was thus endorsed, to wit
Security approved Nov^r 26th 1867.

Jno M. Robinson

Whereupon, the Court order and direct, the proceedings and all things thereunto relating, to be recorded in extenso, and the same is accordingly done.

Test
James Wooters, Clerk

In the matter of the Petition of Thomas Gough and wife, to value and divide the Real Estate of William G. Spuy deceased

Be it remembered, that at a Circuit Court for Queen Anne's County, begun and held at Centreville, on the fourth Monday of February in the year of our Lord one thousand eight hundred and sixty eight, Stansbury Whitely, by Madison Brown and John B. Brown Esquires, his Attorneys, filed in said Court the following petition, to wit:

Madison Brown and John B. Brown Esquires, his Attorneys, filed in said Court the following petition, to wit:
In the matter of the Petition of Thomas Gough & wife for the sale of the Real Estate of W^m G. Spuy dec^d

In the Circuit Court for Queen Anne's County

To the Hon. the Judges of the Circuit Court for Queen Anne's County

The Petition of Stansbury Whitely to your Honors respectfully shows that he was a purchaser at a sale made by Commissioners of the lands in the above entitled cause mentioned and that he has paid the credit payments of the purchase money therefor with interest thereon to the persons thereto entitled, having previously paid to the said Commissioners the Cash payment required by order of Court and is desirous to have said Real Estate conveyed to him by good and sufficient Deed - your Petitioner therefore prays the Court to pass an order appointing some one of the Commissioners aforesaid to execute such deed to your

Petitioner and as in duty bound your Petitioner will ever pray &c

Madison Brown &
John H. Brown Solicitors for Petitioner

Which said petition being by the Court here, read and considered, the said Court thereupon, pass the following order, to wit.

Circuit Court for Queen Anne's County

Ordered this seventh day of February eighteen hundred and sixty eight on the foregoing Petition of Slansberry Whitely that Stephen J. Bradley one of the Commissioners who made sale of the Real Estate of William G. Spay decd, he and he is hereby authorized and empowered to convey by good and sufficient deed to Slansberry Whitely, the Real Estate sold to him by the Commissioners aforesaid free, clear & discharged of & from all claim of the parties to the Cause mentioned in the foregoing Petition, and of all persons, claiming by from, through or under them or either of them, and such deed when executed as aforesaid and recorded according to law shall vest in the said Slansberry Whitely the legal title to said Real Estate, the said Slansberry Whitely having satisfied the Court that the purchase money for said Real Estate has been paid to the persons entitled to the same.

Joseph A. Wickes

Jacob Bullen
vs
James Solloway

Be it remembered, that on the fifth day of September, in the year eighteen hundred and sixty five, Warner L. Peters in pursuance of the provisions of the Code of Public General Laws of the State of Maryland, in such cases made

and provided, filed in the Circuit Court for Queen Anne's County, the following papers to wit:

Queen Anne's County, Ct.

The State of Maryland, to S. Whitely, Constable of said County, - Greeting:
You are hereby commanded to Summon James Solloway if shall be found in your bailiwick, to appear before me the subscriber, a Justice of the Peace of the said State in and for the County aforesaid on the 13th day of _____ at _____ o'clock _____ M to answer unto Jacob Bullen in a plea of debt, and so forth. Hereof fail not at your peril, and have you then and there this Summons.
Witness the subscriber, a Justice of the Peace of the said State in and for the County aforesaid, who hath hereto set his Hand and Seal, this 2nd day of Dec. in the year of our Lord one thousand eight hundred and sixty two.

Elijah Peirce 

On the back of the foregoing Summons was thus endorsed to wit.

Sum: S. W. Court

June 2nd 1861 James Solloway, promised to pay to Jacob Bullen, a Due bill on store account.

1 Pair Shoes at 1.00		1.00
J 1 st 2 Pints Whiskey at 6 1/4		12 1/2
" 5 th 1 Pint do " 6 1/4		6 1/4
" 17 th 1 do " " 6 1/4		6 1/4
July 16 th 1 Pint do " 6 1/4		6 1/4
" 17 th 1 do. at 1.00 " 12 1/2		12 1/2
" 18 th 1 pint do " "		6 1/4
		1.50
August 4 th 1/4 Cord of Wood at 3 1/2		6 1/4

		<u>Am't brought over</u>	
Sep. 12 th	1 Load of wood	20	1.56 1/4
" 26 th	1 Pint Whiskey at	6 1/4	6 1/4
October 1	Pint whiskey	50	1.62 1/2
	By Cash 50	50	1.07 1/2
		37 1/2	70
		20	
		1.07 1/2	

Dr. to Jacob Bullen		70	
October 28 1861	James Soloway Dr. to Jacob Bullen		
" 22	4 1/2 yds cersey at 55		\$2.47 1/2
"	1 3/4 " of muslin at 8		14
"	3 yds domestic	12 1/2	37 1/2
"	2 yds Cotton at 9		18
"	5 buttons at 1		05
"	7 Scins thread at 1		07
"	1 yd Linen at 12 1/2		12 1/2
"	Cutting	50	50
"	Making	1.00	1.00
"	1 Pint Whiskey at 6		06
24	1 Oz Helve at 12 1/2		12 1/2
29	1 Pint whis	6	06
"	1 Plug tobacco		08
			\$5.24 1/2
			70
			\$5.94 1/2
			17
			\$6.11

Jacob Bullen vs James Soloway

Summons issued Dec. 2^d 1862 to S. Whitely const. returnable Dec. 13. 1862, ret^d served, Dec 13. 1862.

Judgment for Plaintiff for debt \$6.11 and cost 63 probate 10 cts, with interest from date of judgement

Fifa issued Jan'y 13/63. Returnable Feby 23^d.

The above to the use of S. Whitely

J. A. Bullen

Witness my hand and seal

Elijah Peirce *(Seal)*

Test James Wooters, Clerk

True copy from the docket of Elijah Peirce, Esquire late a Justice of the Peace for Queen Anne's County.

State of Maryland and Queen Anne's County, to wit:

To S. Whitely Constable of said County, Greeting: - You are hereby commanded, that of the goods and chattels, lands and tenements of Jas Soloway of Queen Anne's County, you cause to be made and levied the sum of \$6.11 debt, with interest from the 23^d day of Dec. 1862, and 73 cost which was recovered by J. Bullen on the 13th day of Dec. 1862, before E. Peirce a Justice of the Peace in and for said county, - and have you the same before me on the 23^d day of February next, to render unto the said Bullen the debt, interest and cost, together with the additional cost thereon.

Given under my hand and seal this 13th day of Jan'y 1863.

Elijah Peirce *(Seal)*

A Schedule of the right title claim and interest of James Solloway in and to one house and lot where he now resides, containing two acres more or less taken at the suit of Jacob Bullen the 17th day of Feb. 1862

S. Whiteley Const.

On the back of the foregoing Fiya, was thus endorsed, to wit: "Property sold to Warner L. Peters at public Sale".

The report of Sale mentioned and referred to in the foregoing return is in the following words, to wit:

To Arthur P. Solloway a Justice of the Peace of the State of Maryland in and for Queen Anne's County in the first district thereof.

The return of Stansbury Whiteley, Constable for the first Election district of Queen Anne's County in and State of Maryland to your worship respectfully returns forth in and by virtue of the accompanying Fi Facias issued by you and Elijah Peirce one at the suit of Warner L. Peters and one at the suit of Jacob Bullen against James Solloway on the 7th day of June 1864 and to me directed, I did seize levy upon and take in Execution all of that House and Lot containing two acres of land more or less then in the occupancy of said James Solloway to wit on the 13th day of June aforesaid situated in the first Election District of Queen Anne's County near Sandtown and adjoining the Lands Benjamin Biggs and others and after public notice of the time place manner and terms of Sale for more than twenty days before the day of Sale in the Maryland Citizen a Newspaper published in Centerville, Queen Anne's County and by Public Notice set up at the Court House you did expose and sell said House and Lot to satisfy the the debt's interest and Cost of advertising, on the 3rd day of December 1864 at which Sale Warner L. Peters being then and thro the highest bidder, became the purchaser thereof at and for the sum of forty one dollars in cash.

Stansbury Whiteley Const.

And now at this day, to wit: on the twenty seventh day of November in the year eighteen hundred and sixty five, the Circuit Court for Queen Anne's County, pass the following order, to wit

Warner L. Peters	vs	James Solloway	} Fiya Facias issued by Arthur P. Solloway, Justice of the Peace of the State of Maryland, in and for Queen Anne's County.
------------------	----	----------------	--

Jacob Bullen	vs	James Solloway	} Fiya Facias issued by Elijah Peirce, Justice of the Peace of the State of Maryland, in and for the County aforesaid
--------------	----	----------------	---

It is on this 27th day of November, eighteen hundred and sixty, by the Circuit Court of Queen Anne's County, and by the authority thereof, adjudged and ordered that the sale made by Stansbury Whiteley, Constable of the Real Estate of James Solloway, in pursuance of thro Fiya Faciases, one issued by Arthur P. Solloway, Justice of the Peace aforesaid, at suit of Warner L. Peters, against the lands and tenements, goods and chattels of said James Solloway, the other issued by Elijah Peirce, Justice of the Peace, as aforesaid at the suit of Jacob Bullen, against the lands and tenements, goods and chattels of said James Solloway, and to said Stansbury Whiteley, Constable, as aforesaid directed, by him duly reported according to law, and now before this Court for confirmation, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the first Monday in May next. Pro

And that a copy of this order be inserted in some Newspaper printed in Queen Annes County aforesaid once in each of three successive weeks before the first Monday in February next. Report states the amount of Sales to be \$41.00.

John M. Robinson

And now at this day to wit, on the Seventh day of February in the year eighteen hundred and sixty eight the said Jacob A. Bullen filed in Court here the following copy of Judgement, to wit.

Jacob Bullen vs James Solloway } Summons issued Dec. 2^d 1862 to S. Whitely Const. returned Dec. 13th 1862, ret^d served Dec. 13th 1862, judgment for Plaintiff for debt 56.11 and cost 63 probate 10 cts with interest from date of judgement. Fife issued

Jan'y. 13/63. Returnable to be by 23^d

The above to the use of S. Whitely

J. A. Bullen
Witness my hand and seal

Elijah Peirce

True Copy from the Docket of Elijah Peirce, Esquire, late a Justice of the Peace for Queen Annes County

Test James Wooters, Clerk

And whereas to wit at a Circuit Court for Queen Annes County, begun and held at Centerville in said County on the fourth Monday of February in the year eighteen hundred and sixty eight the said Court pass the following order to wit.

In the Circuit Court for Queen Annes County, January Term, 1868.
Jacob Bullen vs James Solloway } In the matter of the Sale of the Real Estate of James Solloway of Queen Annes County.

Ordered on this Seventh day of February in the year eighteen hundred and sixty eight, by the Circuit Court for Queen Annes County, and by the authority thereof that the sale of the Real Estate of James Solloway of Queen Annes County, State of Maryland, made by Stansbury Whitely, Constable, as described and set forth in the proceedings in this cause, be and the same are hereby finally ratified and confirmed and cause to the contrary thereof appearing, although due notice appears to have been given in pursuance of the Conditional order of ratification heretofore passed in this cause and no objection or reason to the contrary thereof appearing on the face of the papers and proceedings in the cause - Ordered furthermore that Stansbury Whitely, Constable, be and he hereby is empowered and directed to convey by good and sufficient deed to Warner L. Peters, his heirs and assigns the Real Estate as aforesaid sold to him, free, clear and discharged of all claims of the said James Solloway and of all persons claiming or to claim by from through or under him.

Joseph A. Wickes


Warner L. Peters vs James Solloway

Be it remembered that on the fifth day of September in the year eighteen hundred and sixty five, Warner L. Peters in pursuance of the provisions of the Code of Public General Laws of the State of Maryland, in such cases made and provided, filed in the Circuit Court for Queen Annes County, the following papers to wit:

State of Maryland, Queen Ann's County, to wit.

To S. Whitely Constable of said County, Greeting: - You are hereby commanded to summon James Solloway of Queen Ann's County, to appear before the subscriber, a Justice of the Peace of the said State, in and for the County aforesaid on the 24th day of April next, to answer an action at the suit of Warner L. Peters.

Hereof fail not at your peril, and have you then and there this Summons, Witness my hand and seal this 19th day of April in the year 1864

A. P. Solloway 

On the back of the foregoing Summons was thus endorsed to wit:

"Sum^d S. Whitely Const.


Due Warner L. Peters thirty four dollars for hauling and sawing on settlement.
James Solloway

Nov 7/63

State of Maryland, Queen Ann's County to wit

To S. Whitely Constable for said County, Greeting: - You are hereby commanded that of the goods and chattels, lands and tenements of James Solloway of Queen Ann's County you cause to be made and levied the sum of 34.93 debt, with interest from the 23rd day of April 1864 and 63 cost, which was recovered by W. L. Peters on the 23rd day of April 1864, before the subscriber a Justice of the Peace in and for said County; and have you the same before me on the 17th day of July next, to render to the said W. L. Peters the debt, interest and cost, together with the additional cost thereon.

Given under my hand, seal this 7th day of June 1864

A. P. Solloway 

A ~~the~~ equal of the right title interest and claim of James Solloway in and to the House and Lot when he now resides containing two acres more or less taken at the suit of Warner L. Peters this 13th day of June 1864 by S. Whitely Const.

As and to the foregoing recited was the Return of Constable, as follows to wit: J. A. P. Solloway a Justice of the Peace of the State of Maryland in and for Queen Ann's County in the 1st Election District thereof.

The Return of Stansbury Whiteley Constable for the first Election District of Queen Ann's County and State of Maryland to your worship as recited aforesaid returns together and in virtue of the accompanying Executions issued by you and Warner L. Peters, one at the suit of Warner L. Peters in and to the said James Solloway and one at the suit of said James Solloway against Warner L. Peters on the 15th day of June 1864 and to me directed I did seize in and take in execution all of that House and Lot containing two acres of land more or less then in the occupancy of said James Solloway to wit on the 13th day of June aforesaid situated in the first Election District of Queen Ann's County near Sandtown and adjoining the lands of Benjamin Biggs and others, and after public notice of the time, place, manner and terms of sale for more than twenty days before the day of sale in the Maryland Citizen a Newspaper published in Centerville Queen Ann's County and by public notice set up at the Court House here did expose and sell said House and Lot to satisfy the debts interest and cost of advertising on the 3rd day of December 1864 at which sale Warner L. Peters being then and there the highest bidder became the purchaser thereof at and for the sum of forty one dollars in cash.

Stansbury Whiteley Const.

And now at the day to wit, on the ^{twentieth} seventh day of November in the year eight hundred and sixty five the Circuit Court for Queen Ann's County pass the following order to wit:

Warner L. Peters vs James Solloway. Executions issued by A. P. Solloway Justice of Peace of State of Maryland in and for Queen Ann's County.

Jacob Bullen vs James Solloway
 Fieri Facias issued by Elijah Peirce Justice of the Peace of State in and for the County aforesaid.

It is on this 27th day of November Eighteen hundred and sixty five by the Circuit Court for Queen Annes County and by the authority thereof adjudged and ordered that the sale made by Stansbury Whitely Constable of the Real Estate of James Solloway in pursuance of two fieri facias one issued by Arthur P. Solloway Justice of the Peace as aforesaid at suit of Warner L. Peters against the lands and tenements goods and chattels of said James Solloway the other issued by Elijah Peirce Justice of the Peace as aforesaid at suit of Jacob Bullen against the lands and tenements goods and chattels of said James Solloway and to said Stansbury Whitely Constable as aforesaid directed by him duly reported according to law and now before this Court for confirmation be ratified and confirmed unless cause to the contrary thereof be shown on or before the first Monday in May next; provided a copy of this order be inserted in some news paper printed in Queen Annes County aforesaid once in each of three successive weeks before the first Monday in February next.

Report states the amount of sales to be \$41.00

Ino M. Robinson

And now at this day to wit, on the Seventh day of February in the year Eighteen hundred and sixty eight the said Warner L. Peters files in Court here the following copy of Judgement to wit:

W. L. Peters vs Jas Solloway
 April 23^d 1864 Judgement for Plaintiff for Debt \$ 34.93 and 3 cents costs with interest from date of Judgt. Fifi a issued to S. Whitely June 7 Returnable July 17"

Witness my hand and seal
 A. P. Solloway

True copy from A. P. Solloway's Docket
 Test James Wooters, Clerk

And now here, at a Circuit Court for Queen Annes County begun and held at Courtville, in said County, on the day and year last aforesaid. The said Court pass the following order to wit:

In the Circuit Court for Queen Annes County

Warner L. Peters vs James Solloway
 In the matter of the sale of the Real Estate of James Solloway of Queen Annes County.
 Ordered on this seventeenth day of February eighteen hundred and sixty eight, by the Circuit Court for Queen Annes County and by the authority thereof that the sale of the Real Estate of James Solloway of Queen Annes County, State of Maryland, made by Stansbury Whitely Constable as described and set forth in the proceedings in this cause be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof appearing, although due notice appears to have been given in pursuance of the conditional order of ratification heretofore passed in the cause and no cause to the contrary thereof appearing in the face of the papers and proceedings in the cause - Ordered furthermore, that Stansbury Whitely Constable, be and he hereby is empowered and directed to convey by good and sufficient deed to Warner
 January Term 1868

L. Peters, his heirs and assigns, the Real Estate as aforesaid sold to him, free clear and discharged of all claim of the said James Solloway and of all persons claiming or to claim by from through or under him,

Joseph A. Wickes

Be it remembered that on the twentieth day of July in the year eighteen hundred and sixty six William Kent Sparks and Ann Elizabeth Sparks his wife vs Julia Beck Richardson } filed in the Circuit Court for Queen Annes County sitting as a Court of Equity their Bill of Complaint against the said Julia Beck Richardson, in the following words to wit:

To the Hon. J. M. Robinson Judge of the Circuit Court for Queen Annes County The Bill of Complaint of William Kent Sparks and Ann Eliza Sparks his wife of Queen Annes County next friends of Julia Beck Richardson of said County, an infant under the age of twenty one years, humbly shows that the said Ann Eliza Sparks and the said Julia Beck Richardson are seized as tenants in common of a farm or tract of land called "Oglehope" containing one hundred and thirty five acres more or less lying in said County, and which was devised to them by their father James P. Richardson, after the death of their mother which has already occurred, in equal proportions share and share alike, with the condition that if either of the said daughters die without lawful issue, that her share or proportion should go to her surviving sister and her heirs forever.

It further shows that it will be for the interest and advantage of the said Julia Beck Richardson to sell her undivided interest in the aforesaid Real Estate, and to invest the proceeds in some productive fund for her benefit.

To the end therefore that the said Julia Beck Richardson may answer the premises, and that her said share may be sold under the authority of this Court, and that your orators may have such further and other relief at their case may require.

May it please your Honor to grant unto your orators the writ of subpoena against the said Julia Beck Richardson of Queen Annes County, commanding her to appear in this Court at some certain day named to answer the premises and abide and perform such decree as may be passed therein and as in duty &c.

J. B. Hopper Solic. for Compls.

Upon subpoena was issued for the said Julia Beck Richardson according to the prayer of the Complaint, and the said Julia Beck Richardson being returned "Summoned" appears in Court here, and the said Julia Beck Richardson being a minor, the Court appoint John D. Richardson, Guardian to answer and defend for her, and on the fourteenth day of August in the year eighteen hundred and sixty six the said John D. Richardson as Guardian of the said Julia Beck Richardson, filed in Court here his answer to the said Bill of Complaint as follows to wit.

The answer of Julia Beck Richardson by her guardian John D. Richardson, to the Bill of Complaint of Wm Kent Sparks and wife against her in the Circuit Court of Queen Annes County sitting as a Court of Equity exhibited.

This Defendant being an infant of tender years cannot admit any of the matters and things alleged in said Bill of Complaint to be true, but submits her rights to the protection of this Court.

John D. Richardson

And on the fourth day of September in the year aforesaid the following agreement was filed to wit.

Sparks vs Richardson } In Queen Annes Circuit Court, D. Equity. It is hereby agreed that a commission to take testimony in the

above mentioned cause shall be issued to James Wooters.

Lloyd Tilghman

Sol. for Deft.

P. B. Hopper for Compts

Whereupon a Commission was issued in form following to wit.
 Queen Annes County to wit, The State of Maryland to James Wooters of Queen Annes
 County, Greeting: Be it known that you are appointed Commissioner
 to examine evidences in a cause depending in the Circuit Court for
 Queen Annes County between Wm Kent Sparks and Ann Eliza
 Sparks, Complainants, and Julia Beck Richardson Respondent.
 You are therefore hereby commanded, having first taken the oath hereto annexed, and
 also administered the annexed oath to the person whom you shall appoint Clerk to at-
 tend the execution of this Commission, that at such time and place as to you shall
 seem convenient, you cause to come before you all such evidences as shall be named
 and produced to you by either the Complainant or Respondent and that you
 examine them upon their corporal oaths to be by you administered upon the
 Holy Evangelis of Almighty God, touching their knowledge or remembrance of any-
 thing that may relate to the cause aforesaid and that you cause notice to be given to
 the parties or their Solicitors of the execution of this Commission, before you execute the
 same, and having reduced the depositions of the Witnesses so taken by you into writing
 you send the same with this Commission, closed under your hand and seal to the said
 Court with all convenient speed.

Witness the Honorable John M. Robinson Judge of our said Court the 23^d day
 of July 1866

Issued this 4th day of September 1866

Samuel E. Dyott, Clerk

Commissioners Oath

You James Wooters shall according to the best of your skill and judgment, tru-
 ly faithfully and without partiality to any or either of the parties to this cause, take
 the examinations and depositions of all and every the witnesses produced and ex-
 amined by virtue of the Commission hereto annexed upon the interrogatories now or here-
 in after before the said Commission, as closed be produced to and left with you
 by either of the said parties, So helps you God

Sworn before

Robt Barnard J. P.

Clerks Oath

You shall truly faithfully and without partiality, to any or either of the
 parties to this cause, take write down and transcribe the depositions of all and every
 the witnesses produced before and examined by the Commissioner named in the
 Commission herunto annexed, as far forth as you are directed and employed, by
 the Commissioner to take, write down and transcribe the said depositions or any of
 them, So helps you God

Sworn before

And on the nineteenth day of September in the year eighteen hundred and sixty
 six, the said James Wooters made return to the Court of the execution of said commis-
 sion as follows, to wit

W. Kent Sparks & wife

vs
 Julia B. Richardson

In Circuit Court for Q. A. Co. In Equity

Interrogatories to be proposed to witnesses produced by the Complainants

N^o 1 Are you or not acquainted with the parties to this suit, if yea, how long have you known them?

N^o 2 Are you or not acquainted with the farm devised to Mrs Sparks and her sister the Defendant, if yea, state whether in your judgement it will be to the interest and advantage of the Defendant that her interest in the same shall be sold: if so state your reasons?

N^o 3 What in your judgement is the value of Defendants interest in said farm if sold on a moderate and fair credit

P. B. Hopper Solic
for Compts

To the Honorable John M. Robinson Judge of the Circuit Court for Queen Annes County.

At the execution of the annexed Commission issued out of the Circuit Court for Queen Annes County and to me directed empowering me to examine evidences in a cause depending in said Court wherein William Kent Sparks and Ann Eliza his wife are Complainants, and Julia Beck Richardson is Respondent, J. James Wooters, Commissioner therein named having taken the oath annexed to said Commission, did at Centreville on the fourth day of September 1866 proceed to take the following depositions, the usual notice by the Solicitors of the parties being waived

Charles McCollister a witness of lawful age produced and examined on the part of the Complainants being duly sworn, deposes and says.

To the first interrogatory, he knows all the parties and has known them for a number of years.

To the second interrogatory, he knows said farm, and in his judgement it will be to the interest and advantage of the Defendant that her interest in the same shall be sold, because it is too small for profitable division, the out buildings are in bad condition and yearly becoming more so, and require a greater outlay for repair at the present time than the Defendant is able to afford, and the interest on the purchase money would be of greater benefit to the Defendant, than the present income, particularly after deducting taxes and ordinary repairs.

To the third interrogatory, in his judgement the value of Defendants interest in said farm if sold on a moderate credit, would be between Sixteen and Seventeen hundred dollars

C. McCollister

Walter D. Hardcastle a witness of lawful age produced and examined on the part of the Complainants, being duly sworn deposes and says.

That having heard the answers of Charles McCollister to the several interrogatories in this cause, he adopts said answers as his own, except as to the value of Defendants interest in said farm, which interest deponent values at about two thousand dollars.

W. D. Hardcastle


John W. Porter a witness of lawful age produced and examined on the part of the Complainants, being duly sworn deposes and says.

That having heard the answers of Charles McCollister to the several interrogatories in this cause, deponent adopts said answers as his own

John W. Porter

There being no other witnesses to be examined, and neither party desiring further time for the production of evidence the Commissioner closed the said Commission, and herewith returns the same under his hand and seal the fourth

day of September 1866

James Wothers 
Commissioner

Costs

Commissioner 4.10
Witnesses 2.25
\$6.35

And on the day and year last aforesaid the following agreement was filed, to wit:
W. Kent Sparks & wife, In the Cir. Court for Queen Anne's County
vs Julia B. Richardson } It is agreed that the in this cause be submitted to the Court for decree without argument.

P. B. Hopper Solic
for Complt
Lloyd Tilghman
Soll. for Deft

And on the day and year last aforesaid, the Court pass the following Decree to wit:
W. Kent Sparks & wife, In the Cir. Court for Q. A. Co. sitting as a Court
vs Julia B. Richardson } of Equity.
This cause standing ready for hearing, and being submitted without argument, the proceedings were read and considered.

It is therefore this 29th day of Sept. in the year eighteen hundred and sixty six by John M. Robinson Judge and by the authority of this Court adjudged, ordered and decreed, that the Real Estate of the Defendant mentioned in the proceedings be sold for the purpose stated in the Bill of Complaint.
That P. B. Hopper of Queen Anne's County, be and he is hereby appointed Trustee to make such sale, and that the course and manner of his proceedings shall be as follows: He shall first file with the Clerk of this Court a bond to the State of Maryland executed by himself and a surety or sureties to be approved by this Court or by the Clerk thereof, in the penalty of five thousand dollars conditioned for the faithful performance of the trust reposed in him by this decree or which may be reposed in him by any future order or decree in the premises. He shall then proceed to make sale of said Real Estate, having first given at least three weeks previous notice, inserted in some Newspaper printed in Queen Anne's County, and such other notice as he may think proper of the time, place, manner, and terms of Sale, which terms shall be as follows, One hundred and Eighty Dollars cash on the day of Sale and the balance of purchase money to be paid in two equal instalments in nine and fifteen months from the day of Sale, the deferred payments to bear interest from the day of Sale and the payment thereof to be secured by the bonds of the purchaser with a surety or sureties to be approved by the Trustee and as soon as may be convenient after any such sale or sales the said Trustee shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof and of the fairness of such sale or sales annexed; And on the ratification of such sale or sales by this Court, and on the payment of the whole purchase money and not before, the said Trustee by a good and sufficient deed, to be executed and acknowledged agreeably to law shall convey to the purchaser or purchasers of said property, and to his her or their heirs, the property to him her or them sold free, clear and discharged of all claims of the parties to this cause, and of any person or persons claiming by from or under them, and the said Trustee shall bring into this Court the money arising on such sale or sales, and the bond or notes which may be taken for the same, to be disposed of under

the direction of this Court, after deducting therefrom the costs of this suit and such commission to the Trustee as this Court shall think proper to allow on consideration of the skill attention and fidelity wherewith he shall appear to have discharged his trust

Jno M. Robinson

And on the Sixteenth day of May in the year Eighteen hundred and sixty seven, the said Philemon B. Hopper the Trustee named in said Decree, files in Court here, the following Bond with the endorsement thereon, to wit

Know all men by these presents that we Philemon B. Hopper Matthias George and W. J. Hopper of Queen Annes County in the State of Maryland, are held and firmly bound unto the State of Maryland in the full and just sum of Four Thousand Dollars, current money of the United States to be paid to the said State or to its certain Attorney, to which payment well and truly to be made and done we bind ourselves and each of us our and each of our heirs, executors and administrators jointly and severally firmly by these presents Sealed with our seals and dated this ___ day of October Eighteen hundred and sixty six.

Whereas by a decree of the Circuit Court for Queen Annes County bearing date on the nineteenth day of September Eighteen hundred and sixty six and passed in a cause in said Court wherein Wm Kent Sparks & wife are complainants, and Julia Beck Richardson was Defendant, the above bound, Philemon B. Hopper has been appointed Trustee to make sale of certain Real Estate in the proceedings in said cause mentioned.

Now the consideration of the above obligation is such that if the above bounden P. B. Hopper do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future order or decree in the premises then the above obligation to be void, otherwise to be and remain in full force and virtue in Law

Signed sealed and delivered

in the presence of
James B. Palmer

P. B. Hopper
Matthias George
W. J. Hopper

The within Bond approved and filed "May 16" 1867

Saml. C. Dyott, clk

And on the day and year last aforesaid the said Philemon B. Hopper the Trustee aforesaid made the following report of sale, to wit.

Wm Kent Sparks & wife vs Julia B. Richardson
In the Circuit Court for Queen Annes County, sitting as a Court of Equity.

To the Hon. J. M. Robinson Judge

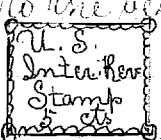
The report of P. B. Hopper appointed Trustee by the decree in this Court to make sale of certain Real Estate therein mentioned shows, That after giving notice of the time place and manner and terms of sale for at least three weeks by previous advertisements in the Observer and Citizen two papers published in Centerville Queen Annes County before the day of sale, he attended before the Court House in Centerville pursuant to said notice on the thirtieth day of October in the year Eighteen hundred and sixty six between the hours of 1 o'clock P. M., and then and there proceeded to sell the Real Estate mentioned in the proceedings and decreed to be sold, at which said sale Wm Kent Sparks being the highest bidder, become the purchaser for and at the price of Nineteen hundred and sixty five Dollars and fourtens cents, That having paid the cash payment of One hundred and eighty dollars as required by said decree, the said Wm Kent Sparks gave his bond for the sum of Seventeen hundred and eighty five dollars the residue thereof with Washington Finley & J. D. Elliott his sureties to be paid in two equal instalments with interest from the day of sale in nine and fifteen months from said date, the Trustee further reports that he has given his bond as required by said decree.

All of which is respectfully submitted

P. B. Hopper Trustee

Maryland Queen Anne's County to wit:

On this 16th day of May in the year 1867 before the subscriber a Justice of the Peace of the State of Maryland in and for Queen Anne's County personally appeared P. B. Hopper the above named Trustee and made oath that the matters and things stated in the foregoing report are true to the best of his knowledge and belief, and that the sale therein reported was fairly made.



A. M. Arlett J.P.

Upon which the following order was passed, to wit:

In the Circuit Court for Queen Anne's County

Ordered this 16th day of May in the year Eighteen hundred and sixty seven that the sale made and reported by P. B. Hopper Trustee for the sale of the Real Estate of Julia B. Richardson be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 28th day of July next provided a copy of this order be inserted in some Newspaper printed at Centerville Queen Anne's County once in each of three successive weeks before the 28th day of July next.

The report states the amount of Sales to be Nineteen hundred and sixty five dollars and fourteen cents \$1965.14

Samuel E. Dyott, Clerk

And afterwards to wit: on the thirtieth day of July in the year last aforesaid, the Court passed the following order to wit:

Ordered this 30th July 1867 that the sale within reported be and the same is hereby ratified and confirmed, no cause to the contrary thereof having been shown, although notice seems to have been given as required by the preceding order. The Trustee is allowed his commissions according to the scale now adopted by this Court and all expenses not personal.

John M. Robinson

And afterwards to wit: on the thirtieth day of November in the year last aforesaid the Court passed the following order to wit:

W. K. Sparks & Wife
vs
Julia B. Richardson

In Equity in the Circuit Court for Queen Anne's County

Ordered this 30th day of November Eighteen hundred and sixty seven that P. B. Hopper Trustee in the above cause pay to the legal guardian of the said Defendant all the interest which has accrued on the purchase money for the lands sold from the day of sale to the day of her reaching eighteen years of age. And in as much as the said Defendant cannot receive the principal of said sum until her arrival at the age of Twenty one years, The Trustee is further directed not to collect the said principal of purchase money unless upon the future order of this Court and that the Trustee proceed annually collect the interest on said Bond until her arrival to the age of twenty one years and pay the same over to her upon her receipt of the same.

John M. Robinson

And afterwards to wit: on the Eleventh day of January in the year Eighteen hundred and sixty eight the Auditor of said Court files in Court here the following report and Audit to wit:

W. K. Sparks & Wife
vs
Julia B. Richardson

In the Circuit Court for Queen Anne's County sitting as a Court of Equity.

To the Hon. The Judges of the Circuit Court for Queen Anne's County The Auditor respectfully reports that he has examined the proceedings in this cause and has therefrom prepared the following account between the Real Estates therein mentioned

and P. B. Hopper Trustee for the sale thereof. He allowed to the Trustee his commissions and expenses to the complainants and Defendants each their coats of suit, and to the Auditor his fee all of which being deducted from the purchase money, he assigned the residue thereof to Julia B. Richardson the only party entitled to said proceeds.

P. B. Hopper Auditor
 Jan'y. 10th 1868

Dr. The Real Estate of Julia B. Richardson in acct. with P. B. Hopper Trustee for the sale thereof

Cr.

Oct 23 ^d 1866	To the Trustee for his Commissions			120	75
	To the Trustee for his Expenses			19	25
	To the complainants for their coats of suit viz				
	Solicitor	20	00		
	S. E. Dyott late clerk	5	85		
	Ja ^s Wooters	6	90		
	T. J. Satterfield Shff		45		
	Stamp		50		
	Ja ^s Wooters Comm: to take testimony	4	10		
	C. M. Collister witness		75		
	W. D. Hardcastle		75		
	John W. Porter		75	40	05
	To the Defendants for their coats of suit viz				
	Solicitor	10	00		
	S. E. Dyott late Clerk	1	60		
	James Wooters clk		45	12	05
	To the Auditor for his fee			4	50
				196	60
	To Julia B. Richardson the infant Defendant				
	the residue			1768	54
				1965	14
Oct 23 ^d	1866	Bal amount of proceeds of personal estate as per			
		Trustees Report. of same			
				1965	14
				1965	14

P. B. Hopper Auditor
 Jan'y. 10th 1868

And on the seventh day of February in the year last aforesaid the Court passed the following order to wit:

Ordered this seventh day of February eighteen hundred and sixty eight, that the within report of the Auditor be ratified and confirmed no cause to the contrary thereof having been shown, although the report has been filed for the first eight days of the term and the Trustee is directed to apply proceeds accordingly except the share of Julia B. Richardson which is not to be paid by previous order of Court.

Whereupon the said cause was by order of the Court here discontinued
 Joseph A. Wickes
 James Wooters, Clerk

George W. Bennett for himself
and as next friend of Adra Anna
Bennett and Ann Emma Bennett

vs

Adra Anna Bennett, Ann Emma
Bennett and Frances Ann Bennett

Be it remembered that on the twenty fourth day
of December in the year eighteen hundred and sixty
four, George W. Bennett for himself, and as next
friend of Adra Anna Bennett and Ann Emma
Bennett, by Joseph A. Wickes Esquire, his Solicitor,
filed in the Circuit Court for Queen Annes County,
sitting as a Court of Equity, his Bill of Complaint

against the said Adra Anna Bennett, Ann Emma Bennett and Frances Ann Bennett in
the following words to wit:

To the Honorable John M. Robinson Judge of the Circuit Court for Queen Annes
County, sitting in Equity.

The Bill of Complaint of George W. Bennett of Queen Annes County, who files this Bill of
Complaint in his own behalf and also as the next friend of Adra Anna Bennett and Ann
Emma Bennett of said County, infants under the age of Twenty one years humbly shews:
That your orator and the said Adra Anna Bennett and Ann Emma Bennett, are seized
as tenants in common in fee, of a house and lot of land in the village of Cummington, in Queen
Annes County, which is particularly described in a deed of conveyance from Joseph C.
Sheppard and Elizabeth M. Sheppard his wife, and Maurice Welch junior and Ruth H.
Welch his wife, to your Orator and Charles P. Bennett, lately deceased, who was the father
of said infants; and of which deed a copy is filed as part of this bill, marked "Exhibit A"
that the one undivided half part thereof, belongs to your Orator, and the remaining undi-
vided half part thereof, belongs to the said Adra Anna Bennett and Ann Emma Bennett.
And your Orator further shews, that the said house and lot are incapable of division
and that it will be for the interest and advantage of your Orator, and of the said infants
to sell the aforesaid Real Estate, and to divide the proceeds thereof between the parties in the
proportions before stated, and to invest the portion which shall be allotted to the said infants
in some productive fund for their benefit.

Your Orator further requests that the said Adra Anna Bennett and Ann Emma Ben-
nett, are seized as tenants in common of a house and lot of land, in the village of Cumm-
ington, in Queen Annes County, which is particularly described, in a deed of conveyance from
Joseph C. Sheppard and Elizabeth Ann Sheppard his wife, and Maurice Welch junior
and Ruth H. Welch his wife, to Charles P. Bennett, lately deceased, who was the father of
said infants; and of which deed, a copy is filed, as part of this Bill, and marked "Exhibit
B" — Your Orator further requests, that it will be for the interest and advantage of the
said infants; to sell the aforesaid house and lot, and to invest the proceeds in some produc-
tive fund for their benefit.

Your Orator further requests, that the said Charles P. Bennett departed this life some
time in the year Eighteen hundred and sixty three, leaving a widow Frances Ann Bennett,
who is still living, and the aforesaid infants his only children and heirs at law.

Your Orator further requests, that he has at his own and exclusive expense built a shed
kitchen on the lot, of which your Orator and the said infants are seized in common
and otherwise expended his means, in improving and repairing the house — And your
Orator avers, that in accordance with the principles of Equity, he should be allowed
by the decree of your honorable Court, should a decree for the sale of said property
be passed, to remove the building thus erected by him, and also some allowance, in the
distribution of the fund arising from such sale, for the expenditures he has made
in repairing and improving the house. Your Orator also represents that he is seized
in fee of a lot of land, directly in the rear of the lot, owned by your Orator and the
said infants, as tenants in common, and that he is entitled to and enjoys a right of way
over the said lot, for the purpose of ingress and egress, to and from, the lots of which he
is seized in severally.

To the end therefore that the said Adra Anna Bennett, Ann Emma Bennett and Francis Ann Bennett, may answer the premises, and that the aforesaid real estate may be sold, under the authority of this Court, and a distribution be made as hereinbefore stated, of a portion thereof, and that a right of way, to the lot held by him in severalty, over the lot, of which your Orator and the said infants, are seized as tenants in common, may be reserved to your Orator, and that your Orator may have such further and other relief as his case may require.

May it please your Honor, to grant unto your Orator the writ of Subpoena against the said Adra Anna Bennett, Ann Emma Bennett, and Francis Ann Bennett, of Queen Anne's County, commanding them to appear in this Court at some certain day, to be therein named, to answer the premises, and abide by and perform such decree, as may be passed therein, and as in duty lies.

J. A. Wickes Solicitor for Complainant

The Exhibits referred to in the foregoing Bill of Complaint, are as follows to wit: Queen Anne's County to wit. Be it remembered that on the seventeenth day of November eight hundred and fifty nine, the following deed was brought to be recorded to wit. This deed made the fourth day of November in the year One thousand eight hundred and fifty nine, by Joseph C. Sheppard and Elizabeth M. Sheppard his wife and Maurice Welch Jr. and Ruth A. Welch his wife, all of Crumpton in Queen Anne's County in the State of Maryland the said Joseph C. Sheppard and Maurice Jr. being known as the firm and doing business under the name Sheppard and Welch, Witnesseth, that in consideration of the sum of Ten dollars (\$10) the said Sheppard & Welch together with their wives do grant unto Charles P. Bennett of Crumpton, County and State as aforesaid all that certain town lot situate at Crumpton as aforesaid, having a front of thirty feet on Second street between Caroline and Pine Streets, and adjoining the lot of George W. Bennett and having a depth of one hundred and fifty feet and being designated on the Map of Crumpton by the number Four thousand and ninety eight (4098) in fee simple, and the said Sheppard & Welch together with their wives, do hereby covenant that they warrant generally and specially the property hereby conveyed, and that they will forever defend the same from all claims and incumbrances that may be brought against it.

Witness our hands and seals

Test

The words Jeremiah Counsellor being read before signing.

Test J. P. Sparks

Joseph C. Sheppard Seal
Elizabeth M. Sheppard Seal
Maurice Welch Jr Seal
Ruth A. Welch Seal

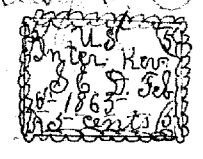
State of Maryland, Queen Anne's County, to wit: I hereby certify that on this fourth day of November in the year One thousand eight hundred and fifty nine before the Subpoena Justice of the Peace for said County, personally appeared Joseph C. Sheppard and Elizabeth M. Sheppard his wife and Maurice Welch Jr. and Ruth A. Welch his wife and did each acknowledge the foregoing deed to be their respective act.

Acknowledged before me

Joseph B. Sparks J. P.

Queen Anne's County to wit: I hereby certify that the above is a true copy taken from libel M. B. 111 folio 229 one of the land record books for Queen Anne's County. In testimony whereof I hereto set my hand and affix the seal of the Circuit Court for Queen Anne's County this 6th day of Feby. A. D. 1865

Seals
Place


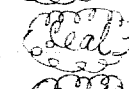

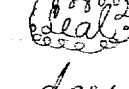


Samuel E. Dyer Clerk

Queen Anne's County, to wit: Be it remembered that on the seventeenth day of November Eighteen hundred and fifty nine, the following deed was brought to be recorded. This deed made the fourth day of November in the year one thousand eight hundred and fifty nine, by Joseph C. Sheppard and Elizabeth M. Sheppard his wife and Maurice Welch Jr. and Ruth H. Welch his wife all of Crumpton in Queen Anne's County, in the State of Maryland the said Joseph C. Sheppard and Maurice Welch Jr. being known as the firm and doing business under the name of Sheppard & Welch. Witnesseth that in consideration of the sum of Twenty four dollars (\$24⁰⁰) the said Sheppard & Welch together with their wives do grant unto Charles C. Bennett and George W. Bennett both of Crumpton, in County and State of aresaid all that building lot situate at Crumpton as aforesaid, Beginning at a corner on Broad street and running along said Broad street South thirty two and a quarter degrees East twenty four feet thence North fifty seven and three quarter degrees seventy feet and thence North thirty two and a quarter degrees West twenty four feet thence South fifty seven and three quarter degrees West seventy feet to the place of Beginning in fee simple, and the said Sheppard & Welch together with their wives do hereby covenant that they will warrant generally and specially the property hereby conveyed; and that they will forever defend the same from all claims and incumbrances that may be brought against it.

Witness our hands and seals

Test J. B. Sparks

Joseph C. Sheppard 
 Elizabeth M. Sheppard 
 Maurice Welch Jr. 
 Ruth H. Welch 

State of Maryland Queen Anne's County to wit: I hereby certify that on this day of in the year one thousand eight hundred and fifty nine before me the subscriber, a Justice of the Peace for said County personally appeared Joseph C. Sheppard and Elizabeth M. Sheppard his wife and Maurice Welch Jr. and Ruth H. Welch his wife, and did each acknowledge the foregoing deed to be their respective act.

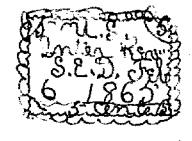
Acknowledged before me

J. B. Sparks J.P.

Queen Anne's County to wit: I hereby certify that the foregoing is a true copy taken from Liber M.B. N^o 1 folios 229 & 230 one of the land record books for Queen Anne's County.

Seal's
Place

In testimony whereof I hereunto subscribe my name and affix the seal of the Circuit Court of Queen Anne's County, this 6th day of February A.D. 1865



Samuel C. Dyott, Clerk

Whereupon subpoena was issued for the said Adra Anna Bennett, Ann Emma Bennett and Frances Ann Bennett, according to the prayer of the complaint; and the said Adra Anna Bennett, Ann Emma Bennett and Frances Ann Bennett, being returned "Summoned" appear in Court here; and the said Adra Anna Bennett and Ann Emma Bennett being minors, the Court appoint William Darnon, guardian to answer and defend for them, and thereupon Philemon B. Hopper Esquire appears in Court here, as Solicitor for the said Guardian and filed in Court here, the answer of said guardian to the said Bill of Complaint in the following words, to wit:

The Answer of Adra Anna Bennett, and Ann Emma Bennett, infants under the age of twenty one years by William Darnon, to the Bill of Complaint of George W. Bennett against them and Frances Ann Bennett, Exhibited

These defendants cannot admit any of the matters and things alleged in the said Bill, and being infants of tender years, submit their rights to the protection of this Court
William Damon

On this 31st day of January in the year Eighteen hundred and sixty five, the above named William Damon appeared before me the subscriber, a Justice of the Peace of the State of Maryland in and for Queen Annes County, and made oath, that the matters and things stated in the foregoing answer, are true to the best of his knowledge and belief.
Sworn before

And on the second day of May in the year Eighteen hundred and sixty five, the said Frances Ann Bennett filed in Court here, her answer to the said Bill of Complaint in the following words to wit:

The answer of Frances Ann Bennett widow of Charles P. Bennett, to the Bill of Complaint of George W. Bennett, in his own behalf and as next friend of Adra Anna Bennett and Ann Emma Bennett, against her and Adra Anna Bennett and Ann Emma Bennett, Exhibited

This defendant admits the several matters and things charged in the complainants bill to be true, and submits to such decree in the premises as may be right, and as in duty bound to

P. B. Hopper Sol. for Frances Ann ^{her} Bennett _{mark}

Test James Welch

And on the day and year last aforesaid, the following agreement was filed to wit: George W. Bennett next friend of Adra Anna Bennett and Ann Emma Bennett

In the Circuit Court for Queen Annes County As a Court of Equity

vs Frances Ann Bennett, Adra Anna Bennett & Ann Emma Bennett

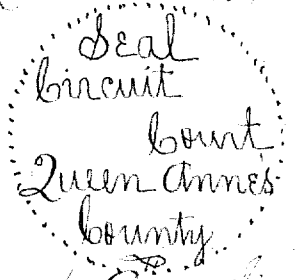
We agree that a commission to take testimony, shall issue in this case to James Wothers

May 2^d 1865

J. A. Wickes Solicitor for Complainant.

P. B. Hopper Sol. for Deft...

Whereupon a commission was accordingly issued in form following to wit: Queen Annes County, to wit: The State of Maryland To James Wothers Esquire, of Queen Annes County, Greeting: Be it known that you are appointed Commissioner to examine evidences in a cause depending in the Circuit Court for Queen Annes County, between George W. Bennett for himself, and as next friend of Adra Anna Bennett and Ann Emma Bennett Complainant, and Adra Anna Bennett Ann Emma Bennett and Frances Ann Bennett Respondents. You are therefore hereby required having first taken the oath hereto annexed and also administered the annexed to the person whom you shall appoint as Clerk to attend the execution of this Commission in at such time and place as to you shall seem convenient you cause to come before you all such evidences as shall be named and produced to you by either the Complainant or Respondents, and that you examine them on their Oath or oaths to be by you administered upon the Holy Evangelists of Almighty God touch- ing their knowledge or remembrance of any thing that may relate to the cause aforesaid and that you cause notice to be given to the parties or their Solicitors of the execution of this Commission, before you execute the same, and having



reduced the depositions of the witnesses so taken by you into writing, you send the same with this Commission closed under your hand and seal to the said Circuit Court with all convenient speed.

Witness the Honorable John M. Robinson Judge of the said Court the first day of May 1865

Issued the 2^d day of May 1865

Samuel E. Dyott, Clerk

Commissioners Oath

You James Wooster shall according to the best of your skill and knowledge, truly, faithfully and without partiality to any or either of the parties in this cause, take the examinations and depositions of all and every the witnesses produced and examined by virtue of the Commission hereto annexed upon the interrogatories now, or which may hereafter before the said Commission is closed be produced to and left with you by either of the said parties So help you God

Sworn before

John M. Robinson

Clerks Oath

You shall truly, faithfully and without partiality to any or either of the parties in this cause, take, write down and transcribe the depositions of all and every the witnesses produced before and examined by the Commissioner named in the Commission hereto annexed, as far forth as you are directed and employed by said Commissioner to take write down and transcribe the said depositions or any of them, So help you God

Sworn before

And on the Eighth day of May in the year aforesaid, the said James Wooster made return to the Court of the execution of said Commission as follows, to wit:

George W. Bennett, in his own behalf, and as next friend of Adra Anna Bennett, and Ann Emma Bennett

vs

Frances Ann Bennett
Adra Anna Bennett
and Ann Emma Bennett

In the Circuit Court for Queen Anne's County
Sitting in Equity

Interrogatories to be propounded to witnesses produced on the part of Complainant.

1st Are you or not acquainted with the parties to this suit or either, and which of them: if yea, how long have you known them and each of them?

2^d Were you or not acquainted with Charles P. Bennett, if yea, is he living or dead - and if dead when did he die?

3^d In your answer to the last interrogatory, you stated that Charles P. Bennett is dead did he or not leave a widow and children - if yea name them - Are or not said children minors under the age of twenty one years, and are they or either of them married?

4th Are you or not acquainted with a house and lot situate in the village of Crumpton, conveyed by Joseph L. Sheppard and wife, and Maurice Welch Jr. and wife to George W. Bennett and Charles P. Bennett, and which is particularly described in the deed now shown to you marked "Exhibit A" - if yea - State if said house and lot are capable of advantageous division - and would it or not be for the advantage and inter-

est of of George W. Bennett, and of the said Adra Anna Bennett and Ann Emma Bennett, to sell said Real Estate, and divide the proceeds thereof among the parties according to their respective interests.

5th Are you or not acquainted with a house and lot of land in the village of Cummpton, and which was conveyed by Joseph C. Sheppard and wife, and Maurice Welch Jr and wife, to Charles P. Bennett, and which are particularly described in the deed now shown to you marked "Exhibit B" - if you state if it will or not be for the interest of the said Adra Anna Bennett, and Ann Emma Bennett to sell the said Real Estate.

6th Has or not Geo W Bennett, since the death of Charles P. Bennett, built or erected, on the lot conveyed to them by Sheppard & Welch and before referred to a Kitchen at his own expense - if you state the cost thereof - Has or not the said Geo W. Bennett improved said property by repairing the same - if you state the nature of said improvements and repairs, at whose expense made, and the cost thereof.

7th Does or not the said Geo. W. Bennett own a lot of land, situate directly in the rear of the lot referred to in the above interrogatory - and is or not the only way of ingress and egress to and from the lot belonging to the said George W. Bennett over the lot held by him, and the said Adra Anna Bennett and Ann Emma Bennett as tenants in common.

J. A. Wickes Solicitor
for Complainant

To the Honorable John M. Robinson Judge of the Circuit Court for Queen Anne's County.

At the execution of the annexed Commission issued of the Circuit Court for Queen Anne's County, and to me directed, empowering me to examine evidences in a cause depending in the said Court, wherein George W. Bennett for himself and as next friend of Adra Anna Bennett and Ann Emma Bennett is Complainant, and Adra Anna Bennett Ann Emma Bennett and Frances Ann Bennett are Respondents, J. James Wooster, Commissioner therein named, having taken the oath thereunto annexed; did at Centerville, on the third day of May 1865 (the usual notice having been waived by the respectively Solicitors) take the following depositions.

Joseph C. Sheppard, a witness of lawful age, produced and examined on the part of the Complainant, being duly sworn deposes and says.

To the first interrogatory, he knows the parties and has known them for several years.

To the second interrogatory, he was acquainted with Charles P. Bennett who died in 1863.

To the third interrogatory, he did leave a widow Frances Ann, and his only children Adra Anna, and Ann Emma Bennett who are minors under the age of twenty one years and unmarried.

To the fourth interrogatory, he knows the property referred to, and it would be for the advantage and interest of the parties to sell said real estate, and divide the proceeds among the parties according to their respective interests.

To the fifth interrogatory, he knows the property referred to, and it will be to the interest of the said parties to sell the said real estate - for the reason that the property will depreciate unless money could be expended thereon, and the infants are without means and very young, and unable to keep up the necessary repairs thereon.

To the sixth interrogatory, he has since the death of Charles P. Bennett built a Kitchen at his own expense, and at a cost of about forty dollars George W. Bennett has improved said property by repairing the same, having furnished the main building by plastering it &c. and putting up a fence around the lot, said improvements were made at the expense of George W. Bennett and cost about fifty dollars, as witness supposes.

To the seventh interrogatory, he does own a lot of ground as described in the interrogatory, and the only way of ingress and egress to and from the lot belonging to the said George, is over the lot held by him and the said Adra Anna Bennett and Ann Emma Bennett tenants in common


Joseph C. Sheppard

Maurice Welch, Junior, a witness of lawful age, produced and examined on the part of the complainant, being duly sworn, deposes and says, That having heard the answers of Joseph C. Sheppard to the several interrogatories in this case, witness adopts the several answers of said Sheppard.

Maurice Welch Jr

The Complainants Solicitor filed with the Commissioner Exhibits A and B. which are herewith returned.

There being no other witnesses to be examined, and neither party desiring further time for producing evidences, the Commissioner closed the said Commission and herewith returns the same under his hand and seal, this third day of May 1865

James Wooster Commissioner 

Costs
Commissioner \$4.10
Witnesses 1.50 \$5.60

And on the twenty third day of June in the year aforesaid, the following agreements were filed to wit:

George W. Bennett
vs
Adra Anna Bennett
Ann Emma Bennett
& Frances Ann Bennett

In the Circuit Court for Queen Annes County
As a Court of Equity

We agree to submit this cause, on the bill, answers and proof, without argument

June 23^d 1865
J. A. Wickes Sol. for Complainant
P. B. Hopper Sol. for Defts

George W. Bennett
vs
Adriana Bennett
Ann Emma Bennett
Frances Ann Bennett

In the Circuit Court for Queen Annes County, as a Court of Equity

P. B. Hopper Esq
Dr. Sir

I am willing that a decree for the sale of the Real Estate mentioned in the above cause and which belonged to my deceased husband Charles P. Bennett, shall be passed by the Court. I am also willing that George W. Bennett shall be compensated for the improvements which he has made. Mrs Geo W. Bennett is willing, that the shed kitchen shall remain. It is doubtful however whether it is on the lot which belonged to him and Charles P. Bennett.

Witness Present
William Danner J. C. Sheppard

Frances ^{Her} Ann Bennett _{mark}

And on the Twenty eighth day of June in the year aforesaid, the Court pass the following Decree to wit:

George W. Bennett
vs
Adra Anna Bennett
Ann Emma Bennett
Frances Ann Bennett

In the Circuit Court for Queen Annes County sitting in Equity

This cause standing ready for hearing, and being submitted without argument, the proceedings were read and considered.

It is thereupon this 28th day of June, in the year of our Lord eighteen hundred and sixty five, by me John M. Robinson, Judge of the Circuit Court for Queen Annes County, as a Court of Equity and by the authority of this Court, adjudged ordered and decreed, that the real estate in the proceedings mentioned be sold for the purpose of partition between the parties in such manner as they may be entitled.

That Joseph C. Wickes of Kent County, be and he is hereby appointed Trustee to make such sales, and that the course and manner of his proceeding shall be as follows: He shall first file in the Clerks Office of the Circuit Court for Queen Annes County a bond to the State of Maryland, executed by himself with a surety or sureties to be approved by the Clerk thereof, in the penalty of Eight hundred dollars, conditioned for the faithful performance of the trust reposed in him by this decree, or which may be reposed in him by any future order or decree in the premises. He shall then proceed to make sale of the said Real Estate, having first given at least three weeks previous notice inserted in some Newspaper printed in Queen Annes County, and such other notice, as he may think proper, of the time place manner and terms of Sale; which terms shall be as follows. One half of the purchase money to be paid cash on the day of Sale, or on the ratification thereof by this Court, and the residue thereof in one year from the day of Sale, the credit payment to bear interest from the day of Sale, and the payment thereof to be secured by the Bond of the purchaser, with a surety or sureties to be approved by the Trustee.

And a right of way over the lot or parcel of land held by the Complainant George W. Bennett, and the Defendants Adra Anna Bennett and Ann Emma Bennett as tenants in common, to the lot directly in the rear thereof, is hereby reserved for the use of the said George W. Bennett, his heirs and assigns. And when the Trustee gives notice of the sale of said lot, he shall reserve said right of way. And as soon as may be convenient, after any such sale or sales, the said Trustee shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof, and of the fairness of such sale or sales, annexed, and on the ratification of such sale or sales, by this Court, and on the payment of the whole purchase money (and not before) the said Trustee by a good and sufficient Deed to be executed and acknowledged agreeably to law, shall convey to the purchaser or purchasers of said property, and to his her or their heirs, the property to him her or them sold, free clear and discharged of all claim of the parties to this cause, and of any person or persons claiming by from or under them. And the said Trustee shall bring into this Court, the money arising on such sale or sales, and the bonds or notes, which may be taken for the same, to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit, and such Commission to the said Trustee as the Court shall think proper to allow on consideration of the skill attention and fidelity, wherewith he shall appear to have discharged his trust.

And it is further adjudged, ordered and decreed, that after such sale or sales, this cause be referred to the Auditor of this Court, with directions to take an account of and concerning the matters in the proceedings mentioned, from the pleadings and proofs now in the cause and such other proofs if any, as the party may produce before

him, on giving the usual notice.

Wm M Robinson

And on the third day of July, in the year aforesaid, Joseph A. Wickes the Trustee named in said decree, filed in Court here, the following Bond with the endorsement thereon, to wit:

U.S. Inter. Rec. A.W. W.N. & W. July 1st 1865 50 cents

Know all men by these presents, that we Joseph A. Wickes and _____ of Mont County, in the State of Maryland, are held and firmly bound unto the State of Maryland, in the full and just sum of Eight hundred dollars current money, to be paid to the said State, or to its certain Attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally firmly, by these presents, Sealed with our seals and dated this first day of July in the year Eighteen hundred and sixty five.

Whereas, by a decree of the Circuit Court for Queen Anne's County, as a Court of Equity, bearing date the twenty eighth day of June, in the year Eighteen hundred and sixty five, and passed in a cause in said Court, wherein George W. Bennett is Complainant, and Adra Anna Bennett and others are defendants, the above bound Joseph A. Wickes has been appointed Trustee, to make sale of certain Real Estate in the proceedings in said cause mentioned.

Now the condition of the above Obligation is such, that if the above bound Joseph A. Wickes do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him, by any future decree or order in the premises then the above obligation to be void, otherwise to remain in full force and virtue in law.

Signed, sealed and delivered in the presence of Jesse K. Hines

J. A. Wickes
W. N. & W. Wickes

"Bond approved and filed July 3rd 1865." S. C. Dyott, Clerk

And on the Seventh day of July, in the year aforesaid, the following agreement and affidavit was filed to wit:

George W. Bennett
vs
Adra Anna Bennett
Ann Emma Bennett
Frances Ann Bennett

In the Circuit Court for Queen Anne's County
As a Court of Equity

To the Honorable John W. Robinson Judge of the Circuit Court for Queen Anne's County

I Frances Ann Bennett of Queen Anne's County, in the State of Maryland, widow of Charles P. Bennett, late of said County, deceased, do hereby agree that the real estate of the said deceased, in the proceedings in the above cause mentioned, shall be sold, by the Trustee, Joseph A. Wickes, appointed by the decree passed in said cause, free from the incumbrance of my dower therein, and that in lieu thereof, I will accept such proportion of the proceeds of sale of said Estate, as under the law of the State, and the wills of your honorable Court, I may be entitled to.

Witness Present
William Damon
J. B. Sheppard

Frances Ann Bennett
mark

Personally appeared this 30th day of June in the year Eighteen hundred and sixty five, before the undersigned a Justice of the Peace of the State of Maryland in and

for Queen Anne's County, William Damon and made oath, that he is well acquainted with Frances Ann Bennett, the widow of Charles P. Bennett and that she is about thirty five years of age, and that she is now in ^{a good} condition and state of health.

Sworn before J. A. Wicks J. P.

And on the eighth day of January in the year Eighteen hundred and Sixty six the said Joseph A. Wicks, the Trustee, made the following report of Sale, to wit:

George W. Bennett

vs.

Adna Anna Bennett
Ann Emma Bennett
Frances Ann Bennett

In the Circuit Court for Queen Anne's County
As a Court of Equity

To the Honorable John M. Robinson, Judge of the Circuit Court for Queen Anne's County, as a Court of Equity.

The report of Joseph A. Wicks, Trustee, appointed by the decree in this cause, to make sale of certain Real Estate therein mentioned, shows that after giving bond with security for the faithful discharge of his trust, as required by said Decree, and giving notice of the time, place, manner and terms of Sale by advertisements, in the Centerville Observer, and Loumpton Gazette, two newspapers printed in Queen Anne's County for more than three successive weeks, before the day of Sale, and by handbills extensively circulated, throughout Queen Anne's County, he did pursuant to said notice, attend at the Hotel of Joshua Walls, in the village of Loumpton on Thursday the twenty seventh day of July, in the year Eighteen hundred and Sixty five, at Twelve O'clock, M. and then and there, proceeded to sell the said Real Estate, as follows, to wit:

In the first place your Trustee offered at public sale, to the highest bidder, the lot of land, situated in the village of Loumpton, in Queen Anne's County, which was conveyed by Joseph C. Sheppard and wife, and Maurice Welch jr. and wife to George W. Bennett and the late Charles P. Bennett, by deed bearing date the 4th November 1859 with the improvements thereon consisting of a Frame Dwelling, and sold the same to Walter G. Wallis he being then and there the highest bidder therefore, at and for the sum of Four hundred and fifty three dollars (\$453.00): of which sum the said Walter G. Wallis has since paid Two hundred and twenty six dollars and fifty cents (\$226.⁵⁰/₁₀₀): And your Trustee has since taken the bond of the said Walter G. Wallis with Samuel H. Knock and William D. Tarbutton as his sureties for the payment of the sum of Two hundred and twenty six dollars and fifty cents (\$226.⁵⁰/₁₀₀) the residue of said purchase money, with the interest thereon, in one year from the day of Sale.

In the next place, your Trustee offered for sale, the lot of land situated in the said village of Loumpton, which was conveyed by Joseph C. Sheppard and wife, and Maurice Welch jr. and wife to the late Charles P. Bennett, by deed bearing date the 4th of November 1859, with the improvements thereon consisting of a Frame Dwelling, and Kitchen, and sold the same to Frances Ann Bennett, she being then and there the highest bidder therefore, at and for the sum of One hundred and eighty two dollars (\$182.00) of which sum the said Frances Ann Bennett has since paid Ninety one dollars (\$91.00). And your Trustee has since taken the Bonds of the said Frances Ann Bennett with Joseph C. Sheppard and George W. Bennett as her sureties for the payment of the sum of Ninety one dollars (\$91.00) the residue of said purchase money, with interest thereon, in one year from the day of Sale.

Which is respectfully submitted

J. A. Wicks, Trustee

Kent County, to wit:

On this 6th day of January 1866, before the subscriber, a Justice of the State of Maryland, in and for Kent County, aforesaid, personally appeared the within named Joseph A. Wickes, Trustee and made oath, that the matters and things stated in the foregoing report, are true to the best of his knowledge and belief, and that the sales thereon reported were fairly made.

James Graves

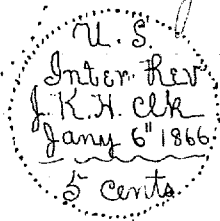
State of Maryland, Kent County, Et:

I, Jesse K. Hines, clerk of the Circuit Court for Kent County, hereby certify that James Graves Esq., before whom the annexed affidavit was made, and who has signed his name thereto, was at the time of so doing, a Justice of the Peace of the State of Maryland, in and for the Fourth Election District of Kent County, duly commissioned and qualified.

In testimony whereof, I hereunto subscribe my name and affix the Seal of the Circuit Court for Kent County, this Sixth day of January, Anno Domini, 1866.

Jesse K. Hines, Clerk

Seals
Place



Upon which the Court pass the following Order, to wit:
George W. Bennett

vs
Ada Anna Bennett
Ann Emma Bennett
Frances Ann Bennett

On the Equity side of the Circuit Court for Queen Anne's County,
January 8th 1866

Ordered by me Samuel E. Dyott Clerk of the Circuit Court for Queen Anne's County that the sales made and reported in the above entitled case by Joseph A. Wickes Trustee, be ratified and confirmed unless cause to the contrary thereof be shown on or before the fifteenth day of March next. Provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County Maryland, once in each of three successive weeks before the fifth day of February next.

The report states the amount of Sales to be \$635.00

Samuel E. Dyott, Clk

And on the thirtieth day of April in the year last aforesaid, the Court pass the following Order, to wit:

George W. Bennett
vs
Ada Anna Bennett
& Others

In the Circuit Court for Queen Anne's County
As a Court of Equity April 1866

Ordered that the sale within reported be and the same be ratified and confirmed no cause to the contrary thereof having been shown, although notice appears to have been given as directed by the preceding order. The Trustee is allowed for his expenses, costs Bills and Receipts the sum of \$29.²⁹/₁₀₀, and for his Commissions the sum of \$43.⁷²/₁₀₀

Jas M. Robinson

And thereupon further process of and upon the premises aforesaid, was by regular continuance, continued from term to term of the said Court until the first Monday of November, in the year eighteen hundred and sixty seven, on which

said first Monday of November in the year aforesaid, comes into Court here the said George W. Bennett, Ada Anna Bennett and Ann Emma Bennett, by their Solicitor aforesaid, whereupon the Trustee aforesaid files in Court here, a petition in the following words, to wit:

To the Honorable John M. Robinson Chief Judge of the Second Judicial Circuit of Maryland,

Your petitioner Joseph A. Wickes respectfully represents that he was appointed Trustee by a Decree of the Circuit Court for Queen Anne's County, as a Court of Equity in the case in which George W. Bennett is complainant and Ada Anna Bennett Ann Emma Bennett and Francis Ann Bennett are Defendants to sell the Real Estate in the proceedings in said cause mentioned - that he sold said Real Estate - and duly reported the Sales thereof - which report has been finally ratified by the Court

Your petitioner further represents that Walter G. Wallis, one of the purchasers of the said Real Estate, having failed to pay the amount secured by his bond, which became due on the 27th of July 1866 - your petitioner was compelled to institute suit thereon to the November Term 1866 of the Circuit Court for Queen Anne's County, and has since collected from the said Walter G. Wallis the principal and interest of said bond amounting to the sum of Two hundred and forty six dollars and forty six cents (\$246 ⁴⁶/₁₀₀), to recover which suit was brought - and that your petitioner acted as counsel himself in said suit.

Your petitioner therefore prays your Honor to pass an order directing the Auditor to allow to your petitioner the collection fee usually allowed in such cases - and as in duty lie

J. A. Pearce Atty. for
Joseph A. Wickes

Upon which the Court pass the following order, to wit:

In the Circuit Court for Queen Anne's County as a Court of Equity
Ordered this 28th day of December 1867 that the prayer of the aforesaid petition be and the same is hereby granted, and that the Auditor is hereby directed to allow to the petitioner Joseph A. Wickes a commission of five per cent on the sum of \$246 ⁴⁶/₁₀₀ as a counsel fee for collection

John M. Robinson

And on the twenty seventh day of January in the year eighteen hundred and sixty eight Philmon B. Stopper, Esquire, Auditor, files in Court here, the following report and Audit, to wit:

George W. Bennett

vs

Ada Anna Bennett
vs others

In the Circuit Court of Queen Anne's County
Sitting as a Court of Equity

To the Hon^{ble} The Judges of the Circuit Court for Queen Anne's County.

The Auditor respectfully reports that he has examined the proceedings in this cause, and has therefore prepared the following account between the Real Estate mentioned therein and J. A. Wickes, Esq. Trustee for the sale thereof, he has allowed to the Trustee his commissions and expenses as directed by the Court to the complainants and Defendants each their costs of suit as per bill of costs made by the Clerk and to the Auditor his fee.

It was necessary, from the fact that there were two separate funds not belonging entirely to the same parties, to apportion the Commissions and expenses of the Trustee the costs of suit of both Complainant and Defendants and the Auditor's fee between them. The Attorneys Commissions for the collection of part of the purchase money

was taken exclusively from the fund collected by him. The Auditor deducted from each fund its proportion of costs, expenses &c as aforesaid and then divided the residue among the parties entitled according to their respective interests as stated in the Bill of Complaint first deducting from the larger fund a bill for building and repairs due George W. Bennett on the property from which said fund was raised, the amount being ascertained by the proof in the Cause and being directed to be allowed by the Decree. after ascertaining the proportion of each fund due the minors, the Auditor deducted 1/7 thereof and allotted the same to the widow in lieu of her dower, the balance after deducting the widow's portions, be allowed to said minors in the acct.
All of which is submitted.

P. B. Hopper Auditor
January 20th 1868

Dr. The Real Estate of George W. Bennett and others in acct with J. A. Wickes Esq. Trustee for the sale thereof

1865					
July 29	To the Trustee for his commissions			43	92
	To the Trustee for his expenses			29	28
	To the Complainants for their costs of Suit viz: Solicitor	20	57		
	S. E. Doyolt late Clerk	7	25		
	James Wooters Clerk	13	85		
	Wm F. Ford Shff	1	20		
	James Wooters Commr. to take testimony	4	10		
	Joseph C. Sheppard witness		75		
	Maurice Welch jr "		75	47	90
	To the Defendants for their costs of Suit viz: Solicitor	10	00		
	S. E. Doyolt late Clerk	4	65		
	James Wooters Clerk	1	55	16	20
	To J. A. Wickes Esq for 5 per cent Atty. Commis. on \$246.46			13	32
	To the Auditor for his fee			4	50
	To George W. Bennett for building, Kitchen and repairs on the property jointly owned him			155	12
	To George W. Bennett for his half of net proceeds	124	26	124	26
	To Ada Anna Bennett for interest in some property being 1/4 of net proceeds proceeds of amount assigned to the widow for dower	53	25 1/2	53	25 1/2
	To Ada Anna Bennett for her half of net proceeds in the other house and lot of amount assigned to widow for dower			60	58
	To Anna Emma Bennett for her 1/4 interest in first named property of widow's dower	53	25 1/2	53	25 1/2
	To Ann Emma Bennett for her 1/2 in the other property of widow's Dower			60	58
	To Frances Anna Bennett in lieu of her dower in both pieces of property	37	95	37	95
				635	00
1865					
July 27	By amount of proceeds of sale of real estate as per Trustee's report of same filed			635	00
				635	00

P. B. Hopper Auditor
January 20th 1868

And on the nineteenth day of February in the year last aforesaid, the Court pass the following Order, to wit:

In the Circuit Court for Queen Anne's County, In Equity, January Term 1868
 Ordered, this 15th day of February Eighteen hundred and sixty eight, that the within report of the Auditor be and the same is hereby finally ratified and confirmed, and the Trustee is directed to apply proceeds accordingly with a due proportion of interest as the same has been or may be received.

Jno. M. Robinson

Whereupon the said cause, was by order of the Court here, discontinued.

James Wooster Clerk

Mordecai Price and John
Price, Executors of John S. Price

^{vs}
Louisa A. Spear widow and
Susan Leonora and Lewis Cass Spear
children and heirs at law of Solomon
Spear, and William S. Price ad-
ministrators of Solomon Spear

to wit:

The Bill of Complaint of John S. Price of Queen Annes County, who sues as well for himself as all other creditors of Solomon Spear late of said County deceased, who will come in and contribute to the expenses of this suit, humbly shows, that a certain Solomon Spear late of said County deceased, was in his lifetime indebted unto your Orator in the sum of Three Thousand Dollars current money on his certain bond or obligation dated on or about the second day of February in the year Eighteen hundred and sixty and conditioned for the payment to your orator of the sum of Fifteen hundred dollars with interest thereon from the date thereof, in manner and form following that is to say, five hundred dollars on or before the first day of January Eighteen hundred and sixty one, and the residue thereof in four equal annual instalments from the first day of January Eighteen hundred and sixty one, with legal interest on the whole from said Second day of February Eighteen hundred and sixty, as by your orator's exhibit filed A, a part of this bill will more fully appear, on which said bonds are endorsed the credits to which it is entitled by payments of money and by assignments.

And your Orator further charges that the said Solomon Spear being indebted as aforesaid unto your orator and also unto divers other persons in large sums of money; and having real and personal estate of considerable value, departed this life in the year Eighteen hundred and sixty intestate and leaving a widow Louisa A. Spear, and Susan Leonora Spear, and Lewis Cass Spear his children and heirs at law, the said children being infants under the age of twenty one years - and your Orator further charges that administration of all the singular the personal estate of the said Solomon Spear hath been lately granted by the Orphans Court of Queen Annes County unto his aforesaid widow Louisa A. Spear, who in virtue thereof has possessed herself of said personal estate of value, but your orator is informed and believes that the same is not sufficient to discharge all the debts due and owing by the said intestate at the time of his death. And your Orator is advised that the said personal estate in the hands of the said Louisa A. Spear ought to be applied to the payment of the claim of your orator and of the other creditors of the said Solomon Spear so far forth as the same will extend; and that any deficiency in the said personal estate ought to be supplied by a sale of the real estate of the aforesaid debtor. And your orator further makes known that the real estate of which the said Solomon Spear died seized and possessed, consists of a lot of land in Queens Town Queen Annes County, on which the Hotel and buildings appurtenant stand, and in which is described in a deed of conveyance from your orator and his wife to the said Solomon Spear now of record in the Clerk's Office of said County, also of another lot of ground in front of said Hotel lying between the two roads and containing about two thirds of an acre, and also of another lot of ground adjoining the Tavern lot on which stand a two story dwelling house with outbuildings, containing about

Be it remembered, that on the nineteenth day of January in the year Eighteen hundred and sixty three, John S. Price by Phil-
emon D. Hopper Esquire, his Solicitor, filed in the Circuit Court for Queen Annes County, sitting as a Court of Equity, his Bill of Complaint, against the said Louisa A. Spear, Susan Leonora Spear and Lewis Cass Spear, in the following words,

one acre and a half of land; the said last two lots having been also sold to the said Solomon Spear by your Orator, and for the purchase money of which the aforesaid bond was given, and your Orator further makes known that he is willing to convey said two lots to whomsoever may be entitled thereto, so soon as the balance on his aforesaid bond shall be paid to him, and which balance he claims to be a special lien on said two lots for and as the purchase money therefor, and entitled to payment out of the proceeds of sale in preference to any other of the claims due and owing by the said Solomon Spear. But now so it is, that the said Louisa A. Spear has wholly refused to pay any part of the aforesaid claim to your orator, or to render to him an account of the aforesaid personal estate in her hands, and your Orator is unable to obtain adequate relief against her or the aforesaid real estate without the aid of this Court. To the end therefore, that the Defendants hereinafter named, may answer the several matters and things hereinbefore set forth as fully and particularly, as if the same were again herein repeated, and they were thereunto interrogated and that the said Louisa A. Spear may also set forth an account of the personal estate of her intestate, and the amount and particulars thereof possessed by her, and what part thereof is now in her hands, and how much thereof has been disposed of by her in payment of said intestate's debts and otherwise; and may answer the other matters and things hereinbefore charged; and that the real estate of the said deceased or so much thereof as may be necessary for the purpose, may be sold for the payment of the claim of your orator and the other unsatisfied creditors of the deceased, after the application of the aforesaid personal estate as far as the same may go, and that your Orator may have such further or other relief in the premises as equity may require.

May it please your Honor to grant unto your Orator the writ of Subpoena against the said Louisa A. Spear Lewis Bass Spear and Susan Leonora Spear of Queen Anns County, commanding them to appear in this Court at some certain day to be named therein to answer the premises and abide by and perform such decree as may be passed therein, and as in duty bound &c.

J. B. Hopper Sol^r
for complainant

The Exhibit referred to in the foregoing Bill of Complaint is as follows, to wit: Know all men by these presents, that I Sol. Spear of Queen Anns County in the State of Maryland, am held and firmly bound unto Jno. S. Price of the County & State aforesaid in the full and just sum of Three thousand Dollars, current money of Maryland to be paid to the said Jno. S. Price his coven Attorney, executor, administrators or assigns, to the payment whereof well and truly to be made and done I bind myself my heirs, executors and administrators firmly by this presents, Sealed with my seal and dated this Second day of February Eighteen hundred and sixty.

Now the condition of the above obligation is such, that if the above bound Sol. Spear his heirs executors and administrators do and shall well and truly pay or cause to be paid to the said Jno. S. Price his executors administrators or assigns, the full sum of Fifteen hundred dollars current money of the State of Maryland in the manner following, that is to say, five hundred dollars on or before the first day of January Eighteen hundred and sixty one, and the residue thereof in four equal annual installments from the first day of January Eighteen hundred and sixty one, with legal interest on the whole sum of Fifteen hundred dollars from said day February 22 Eighteen hundred and sixty. Then the above obligation to be void of no effect, otherwise of full force and virtue in Law.

Sealed signed and delivered
in the presence of Wm J McGuire

S. Spear

July 1 st / 61	Amt. of Note against Keets	\$199.43
Jan'y 3 rd	" Cash	100.00
" 19	" "	15.00
Feb'y 22	" "	10.00
March 4	" "	50.00
" 28	" "	10.00
"	Assigned Judgement	22.10
"	"	55.12
August 22	Cash	50.00
March 17 1862	Cash from Mr Hergenrather	70.00



Queen Anne's County, Oct. } Then came Mordecai Price, suor Exr. of
 Oct 2d 1866 } John S. Price and made oath on the Holy-
 Evangelly of Almighty God, that the foregoing note, from the books, papers
 &c Dec 10, 1860, & that it did not appear from the same that any
 part parcel, security or satisfaction for the same to the best of his knowledge and be-
 lief, hath been given or recd, except the credits given.
 [Cost 70 cts.] pd

W. A. Johnson
Register of Wills

Oct 2nd 1866 - By order of the Court will be allowed when paid.

(Cost 10 cts.) pd

(Cost 10 cts.) pd

W. A. Johnson
Register of Wills for Queen Anne's County

Whereupon Subpoena was issued for the said Louisa A. Spear Susan Leonora Spear and Lewis Cass Spear according to the prayer of the complainant and the said Louisa A. Spear Susan Leonora Spear and Lewis Cass Spear being duly summoned, appear in Court here and the said Susan Leonora Spear and Lewis Cass Spear being minors the Court appoint Louisa A. Spear guardian to answer and defend for them and thereupon Lloyd Trenchman Esquire appears in Court here as solicitor for the said guardian, as also for the said Louisa A. Spear.

And on the Tenth day of June in the year aforesaid, William S. Price filed in Court here, the following petition to wit:

John S. Price

In Chancery

The Adm^r vs Heirs
at law of Solomon Spear

To the Honorable R. B. Garmichael Judge of the Circuit Court for Queen Anne's County.

The Petition of William S. Price respectfully represents that since the filing of the Bill in this cause, the letters of administration granted to Louisa A. Spear have been revoked by the Orphans Court of Queen Anne's County, and letters of administration have been granted to your Petitioner. He prays

your Honor therefore, that he be admitted in the place of the said Louisa A. Spear to defend in said cause).

And as in duty bound

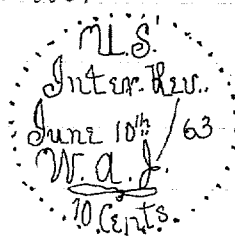
Wm S. Price

When said petition being read and considered, the Court pass the following order to wit:

The foregoing petition being read and considered it is therefore this ^{tenth} day of June in the year Eighteen hundred and sixty three, ordered that William S. Price administrator of Solomon Spear deceased be admitted a party defendant to the aforesaid cause.

Richd B. Carmichael

Accompanying the foregoing petition and order of Court was the following certificate, to wit:



Queen Anne's County, to wit:—

I hereby certify, that letters of Administration on the personal estate of Solomon Spear, late of Queen Anne's County, deceased, were granted by the Orphans Court of said County to Louisa A. Spear on the 10th day of June 1862, — and that on the 17th day of March 1863, the said Letters were by the ~~last~~ said Court revoked — and that new letters of Administration, were granted by the said Court to W^m S. Price on the same day (March 17th 1863)

In testimony whereof, I have hereunto set my hand and affixed my official seal this 10th day of June 1863

W. A. Johnson Reg. Wills for Queen Anne's County.



best of etc ch^d to J. S. P.

And thereupon the said William S. Price, administrators as aforesaid, appeared in Court here, by Lloyd Tilghman, Esquire, his Solicitor, and on the Eleventh day of June in the year aforesaid, the said Louisa A. Spear Susan Leonora Spear, Lewis Cals Spear and William S. Price by their Solicitor aforesaid, filed in Court here, their answers to the said Bill of Complaint, as follows, to wit:

The answer of Louisa A. Spear widow to the Bill of Complaint of John S. Price against her and her infant children in the Circuit Court for Queen Anne's County exhibited.

This defendant admits the several matters and things charged in the complainants bill to be true, and submits to such decree in the premises as may be right, and as

Lloyd Tilghman Solicitor for Respondents

The joint and several answers of Susan Leonora Spear, and Lewis Cals Spear infants under the age of twenty one years by Louisa A. Spear their guardian, to the Bill of Complaint of John S. Price against them and their mother Louisa A. Spear in the Circuit Court for Queen Anne's County exhibited.

The defendants cannot admit any of the matters and things alleged in the said bill, and being infants of tender years submit their rights to the protection of this Court.

The answer of William S. Price, administrator of Solomon Spear to the Bill of Complaint of John S. Price against him and others in the Circuit Court for Queen Anns County exhibited.

This Defendant admits the several matters and things charged in the Complainants bill to be true and especially that the personal estate of said Solomon Spear in the hands of this respondent is wholly insufficient to pay the debts of the said Solomon. And this respondent submits to such decree in the premises as may be right and proper. And etc

Lloyd Tilghman Solicitor for Wm. S. Price Adm. of Sol. Spear

And on the day and year last aforesaid the following agreement was filed to wit:

To the Honorable R. B. Carmichael Judge of the Circuit Court for Queen Anns County

I do hereby agree that the real estate of my late husband Solomon Spear be sold free and clear of any dower interest which I have in the same, on condition that your Honor allow me out of the purchase money thereof, such sum as your Honor may determine that I am entitled to in law thereof.

Witness my hand and seal this tenth day of June 1863.

Test

J. A. Spear

Geo. W. Tallowfield

And on the day and year last aforesaid the following agreement was filed to wit:

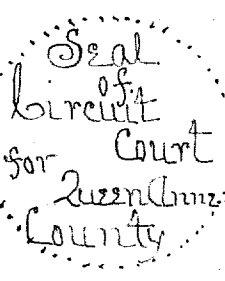
John S. Price vs Bill of Complaint

The admrs & heirs at law of Solomon Spear

It is agreed that a Commission shall issue to B. W. Wright to take testimony in the above cause

P. B. Hopper Sol for complainant
Lloyd Tilghman Solicitor for Defts

Whereupon a Commission was accordingly issued in form following to wit: Queen Anns County, to wit: The State of Maryland to Benjamin W. Wright of Queen Anns County, Greeting: Be it known that you are appointed Commissioner to examine evidences in a cause depending in the Circuit Court for Queen Anns County, between John S. Price, complainant, and Susan Jeannora Spear, Lewis Cass Spear and William S. Price administrator of Solomon Spear Respondents. You are therefore hereby required, having first taken the oath hereto annexed, and also administered the annexed oath to the person whom you shall appoint as clerk, to attend the execution of this Commission, that at such time and place as to you shall seem convenient, you cause to come before you all such evidences as shall be named and produced to you by either the Complainant or Respondents and that you examine them on their corporal oaths, to be by you administered upon the Holy Evangelists of Almighty God, touching their knowledge or remembrance of any thing that may relate to the cause aforesaid, and that you cause notice to be given to the parties or their Solicitors of the execution of this Commission before you execute the same, and having reduced the depositions of the witnesses so taken by you in writing, you send the same with this Commission, close under your hand and seal, to the said Circuit Court with all convenient speed. Witness the



Honorable Richard B. Carmichael Judge of the said Court, the fourth day of May in the year Eighteen Hundred and Sixty three.

Dealed the 12th day of June 1863.

James Meeters, Clerk

P. Hopper Esquire, Solicitor for complainant.
L. Pughman Esquire, Solicitor for respondents.

Commissioners Oath

You Benjamin N. Wright shall, according to the best of your skill and knowledge, truly, faithfully and without partiality to any or either of the parties in this cause, take the examinations and depositions of all and every the witnesses produced and examined by virtue of the Commission hereto annexed, upon the interrogatories now or which may hereafter before the said Commission is closed, be produced to and left with you by either of the said parties. So help you God.

Sworn before

Jno H. Rowlenson

Clerk's Oath

You Robert Goldborough Jr, shall truly, faithfully and without partiality to any or either of the parties in this cause, take note down and transcribe the depositions of all and every the witnesses produced before and examined by the Commissioners named in the Commission hereto annexed, as far forth as you are directed and employed by the said Commissioners to take note down and transcribe the said depositions for any of them. So help you God.

Sworn before

B. N. Wright
Commissioner

And on the thirteenth day of June in the year aforesaid, the said Benjamin N. Wright made return to the Court here, of the execution of said Commission, as follows to wit:

John S. Price,
vs
Louisa A. Spear widow
and adm^r of Solomon Spear;
+ Susan Leongra Spear +
Lewis Cass Spear his chil-
dren and heirs at Law

In the Circuit Court for Queen Anne's County,
Sitting as a Court of Equity

Interrogatories to be proposed to W^m J. McGuire, a witness to be produced on the part of the complainant.

- 1st Are you or not acquainted with the parties to this suit or any of them and ^{of} ~~of~~ them? If yea how long have you known them?
- 2^d Did you know the late Solomon Spear? if yea, state if he be dead, when and where he died, and whether he left a widow and children and name them if you ^{know} them.
- 3^d Look at the paper marked "Exhibit A" and state if you did not see the said Solomon Spear sign his name thereto with the seal affixed, and if you did not sign your name as witness thereto, also state, if you know it, for what consideration the said bond marked "Exhibit A" was given.
- 4th State, if you can, where the widow and children of the said Solomon Spear do reside, the sexes, names, ages present place of residence and conditions in life of said children. Also state what real estate he left.

P. B. Hopper, Esq.
for Complainant

Interrogatories to be proposed to W. A. Johnson witness to be produced on the part of the Complainant:

1st Are you or not Register of Wills for Queen Anne's County? if you state whether the inventory of the goods and chattels and personal estate of Solomon Spear late of Queen Anne's County has been returned to your Office, and if you the amount of said inventory.

2^d State the amount of Debts that have been proved and registered against said estate, as appear from your book of Record for claims against deceased's personal estate, exclusive of the bond of John S. Price.

P. B. Hooper Sol^r
for Compt^r.

To the Honorable Richard B. Carmichael Judge of the Circuit Court for Queen Anne's County.

At the execution of the annexed Commission issued out of the Circuit Court for Queen Anne's County, and to me directed, and empowering me to examine evidences in the cause depending in the said Court, between John S. Price, Complainant, and Susan Legnora Spear Lewis Cass Spear, and William S. Price, administrators of Solomon Spear, Respondents.

I Benjamin N. Wright, Commissioner therein named, having taken the oaths required to said Commissioner, and having appointed Robert Golistorough Jr my clerk, and administering to him the oath annexed to said Commission to be taken by him, did at Centerville in Queen Anne's County aforesaid, on the day of June in the year Eighteen hundred and sixty three proceed to take the following depositions, the usual notice being waived by the Solicitors of the parties aforesaid:

W^m Jas^s McGuire a witness of lawful age produced on the part of the Complainant being duly sworn and examined to interrogatories filed with Commissioner by Complainant and herewith returned, deposes and says.

To 1st interrogatory, I am acquainted with all, Jas^s Price & W^m S. Price for several years and Mrs Spear and her children for about three years.

To 2nd interrogatory: He answers and says. — He knew him and he died in the year past at Queen Town and left a widow & two children who are parties to this suit.

To 3^d interrogatory. He answers and says. — He has looked at it, and says that he signed it as witness and saw Solomon Spear sign the bond opposite the seal attached, and it was given for the purchase money of the house and lot in Queen Town on the south side of the road from Queen Town to The Mill.

To 4th interrogatory. He answers & says, — He does not know the Christian name of Mrs Spear, the daughter is named Leonora Spear and the son Lewis Cass, she the daughter is about twenty two years of age and the son seven or eight, they all reside in Queen Town, — Knows of no property they own, except their interest in the property Solomon Spear left at his death, all the real estate he has any knowledge of, is the house & lot answered to in his 3^d Interrogatory, and the lot on which the Tavern property was situated and recently burned down, and a third small lot opposite the Tavern lot.

There being no other witnesses to be examined and neither party desiring further time for the production of his evidences, the Commissioner closed the said Commission, and herewith returns the same under his hand and seal this 13th day of June Eighteen hundred and sixty three.

Jas^s McGuire
B. N. Wright Seal
Commissioner

Certs

Commissioners fee for one day and call

1.10

Clerks

2.50

57.35

Witness W^m J. McGuire

.75

Queen Annes County, to wit:

I hereby certify that the amount of the inventory of the personal estate of Solomon Spear, late of Queen Annes County, deceased, returned on the 17th day of June 1862, and now on file in this Office is \$745.28 cts. that the account of Sales of said Deceased's property returned on 30th of September 1862 shows a loss on the appraised value thereof of \$45.33 cts. - And that this comprises the whole amount of assets returned by the adm^r of said Deceased. - and I further certify that the aggregate amount of debts of said Deceased, as passed by the Orphans Court of this County and entered on the Docket of claims, a record also in this Office is \$767.25 cts. without interest in

In testimony whereof I have hereunto set my name, and affixed my official seal, this 12th day of June 1863.

W. A. Johnson Reg. Hills
for Queen Annes County

Seals

Place

U.S.
Inter. Office
June 12th 1863
10 Cents

Cost 60 cts
Ch^d to J. S. Price

And on the twenty second day of June in the year aforesaid, the Court pass the following Decree to wit:

Jno. S. Price

The adm^r & heirs at Law of Solomon Spear, deceased

In the Circuit Court for Queen Annes County
Sitting as a Court of Equity

This cause standing ready for hearing and being submitted without argument, the proceedings were read and considered.

It is therefore this 22nd day of June in the year Eighteen hundred and sixty three by R. B. Carmichael Judge and by the authority of this Court adjudged ordered and decreed that the real estate of Solomon Spear deceased, in the proceedings mentioned or so much thereof as may be necessary for the payment of his debts be sold. That P. B. Hopper of Queen Annes County be and he is hereby appointed Trustee to make such sale, and that the cause and manner of his proceedings shall be as follows. He shall first file in the Clerk's Office of Queen Annes County a bond to the State of Maryland executed by himself with a surety or sureties to be approved by this Court or the Clerk thereof, in the penalty of Four thousand dollars conditional for the faithful performance of the trust reposed in him by this Decree, or which may be reposed in him by any future order or decree in the premises. He shall then proceed to make sale of the said real estate free and clear of the claims of Aquina Spear widow, she having consented to the same having first given at least three weeks previous notice inserted in some newspaper printed in Queen Annes County, and such other notice as he may think proper, of the time place manner and terms of sale, which terms shall be as follows. 3 percent of the purchase money to be paid in cash on the day of sale, and the residue thereof to be paid in equal instalments in six and twelve months from the day of sale, the whole to bear interest from the day of sale, and the payment thereof to be secured by the bonds of the purchaser or purchasers with

a surety or sureties to be approved by the Trustee.

And as soon as may be convenient after any such sale or sales, the said Trustee shall return to this Court a full and particular account of the same with an affidavit of the truth thereof and of the fairness of such sale or sales annexed. And on the ratification of such sale or sales by this Court and on the payment of the purchase money (and not before) the said Trustee by a good and sufficient Deed to be executed and acknowledged agreeably to Law, shall convey to the purchaser or purchasers of said property and to his her or their heirs or assigns the property to him her or them sold free clear and discharged of all claims of the parties to this ^{cause} and of any person or persons claiming by from or under them; And the said Trustee shall bring into this Court the money arising on such sale or sales, and the bonds or notes which may be taken for the same to be disposed of under the direction of this Court, after deducting therefrom the costs of suit and such commission to the said Trustee as this Court shall think proper to allow on consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust;— and at the time of advertising said sale the Trustee is directed to give notice to the creditors of the said Solomon Spear deceased, to file their claims, with the vouchers thereof in the Clerk's Office of Queen Anne's County within six months from the day of Sale.

Richd Bth Carmichael

And on the twenty fourth day of August in the year aforesaid, the following petition was filed, to wit:

John S. Price

^{vs}
The Heirs at Law and
adms. of Solomon Spear

In the Circuit Court for Queen Anne's County
Sitting as a Court of Equity
On Creditors Bill

The petition of Mordecai Price and John Price executors of John S. Price deceased, respectfully represent that since the decree in this cause was passed John S. Price has departed this life having left a last will and testament of which among other things, your petitioners were appointed his executors. They being the proper parties to represent the said deceased in this action, they pray your Honor to admit them as parties Complainants in the above case, in the place of the said John S. Price deceased, and as in duty bound

P. B. Hopper Sol^r
for Petitioner

Which said petition being read, the Court here pass the following order to wit:
Ordered, this 4th day of August 1863 upon the foregoing petition that Mordecai Price and John Price Executors of Jno. S. Price deceased, be admitted as parties Complainants in the foregoing named cause.

Richd Bth Carmichael

And on the first day of October in the year aforesaid, the said Philemon B. Hopper the Trustee named in said Decree, filed in Court here, the following Bond, with the endorsement thereon, to wit:

Know all men by these presents, that we Philemon B. Hopper, W. J. Hopper and Jno. B. Hopper of Queen Anne County in the State of Maryland in the full and just sum of Four thousand dollars current money to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made and done we bind ourselves and each of us our and each of our heirs executors and administrators jointly and severally firmly by these presents. Sealed with our seals and dated this first day of October, Eight

ten hundred and sixty three.

Whereas by a decree of the Circuit Court of Queen Anne's County bearing date on the twenty second day of June Eighteen hundred and sixty three and passed in a cause in the said Court wherein Jno S. Pice's Executors were Complainants and the administrator and heirs at law of Solomon Spear were defendants, the above bound Philomen B. Hopper has been appointed Trustee to make sale of certain real estate in the proceedings in said cause mentioned.

Now the condition of the above obligation is suchy that if the above bounden Philomen B. Hopper do and shall well and faithfully perform the trust imposed in him by said Decree, or that may be imposed in him by any future decree or order in the premises, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

Signed sealed and delivered
in the presence of
Robt Baynard

P. B. Hopper
W. J. Hopper
J. B. Hopper

Security approved and Bond filed the first day of October 1863

James Wooster, Clerk
Circuit Court for Queen Anne's County

And thereupon further process of and upon the premises aforesaid, was by regular continuances continued from term to term of the said Court until the fourth Monday of January in the year Eighteen hundred and sixty four, on which said fourth Monday of January in the year aforesaid, comes into Court here, the parties aforesaid, by their Solicitor aforesaid, and afterwards, to wit, on the nineteenth day of March in the year last aforesaid, the said Philomen B. Hopper, the Trustee, made the following report of sale, to wit:

Mordecai Pice & John Pice
Execs of Jno S. Pice
vs
The Heirs and admrs of Solomon Spear

In the Cir Court for Queen Anne's County
Sitting as a Court of Equity

To be Here Jas W. Wooster Judge

The report of P. B. Hopper Trustee appointed by the decree in this cause to make sale of certain real estate therein mentioned shows that after giving bond with security for the faithful discharge of his trust as required by said decree and after giving notice of the time place manner and terms of Sale by advertisements in the "States Rights" and the "Centerville Times" two papers published in Centerville Queen Anne's County, for more than three successive weeks before the day of sale, he did pursuant to said notice attend at Queens Town on Saturday the third day of October in the year Eighteen hundred and sixty three between the hours of 12 o'clock and 4 P. M. and then and there proceed to sell the real estate as follows, to wit:

1, The lot on which the Hotel formerly stood containing one half acre of land more or less, the Trustee sold to Benjamin Sheppard, he being then and there the highest bidder therefor at and for the sum of Four Hundred and Eighty dollars; He received from him the cash payment of Thirty Eight dollars and forty cents, and has since the day of Sale received the balance of the purchase money in full.

In the next place he offered a lot of ground in said town containing a half acre more or less with a two story house and other improvements thereon and sold the same to William H. Cross he being then and there the highest bidder therefor for and at the price of Nine hundred and fifty five dollars; and also said Wm H. Cross paid in cash the sum of Seventy six dollars and forty cents on the day of Sale and has since given his bond for the residue payable as required by the decree, with

Geo. De rochburne as his surety. And in the last place he offered a small lot unimproved containing a third of an acre more or less and situate in said town in front of lot N^o 1, and sold the same to William S. Price, he being the highest bidder therefor at said sale, for and at the price of Three hundred dollars; and the said Price paid the sum of Twenty four dollars cash on the day of Sale and gave his bond for the residue payable as required by the decree, with Mordecai Price his surety.

The whole of said sales amount to Seventeen hundred and thirty five dollars. And your Trustee further reports that at the time of advertising said sales, he gave notice to the Creditors of Solomon Spear aforesaid deceased, to file their Claims with the vouchers in the Clerk's Office of Queen Anne County within four months from the day of Sale

Which is respectfully submitted,
P. B. Hopper, Trustee

State of Maryland Queen Anne County to wit:

On this 19th day of March in the year Eighteen hundred and sixty four before the subscriber, a Justice of the Peace in and for said County personally appeared the within named P. B. Hopper Trustee and made oath that the matters and things stated in the foregoing report are true to the best of his knowledge and belief and that the sales were fairly made.

Robt C. Barnard J. P.

Upon which the following order was passed, to wit:

In the Circuit Court for Queen Anne's County sitting as a Court of Equity March 19 1864

Ordered that the sales made and reported by P. B. Hopper Trustee for the sale of the real estate of Solomon Spear deceased be ratified and confirmed unless cause to the contrary thereof be shown on or before the tenth day of May next; provided a copy of this order be inserted in some newspaper printed at Centerville, once in each of three successive weeks before the tenth day of May next.

The report states the amount of Sales to be Seventeen hundred and thirty five dollars (1735.00)

Samuel E. Dyott, Clerk

And on the tenth day of May in the year last aforesaid, the Court pass the following order, to wit:

In the Circuit Court for Queen Anne's County

Ordered this tenth day of May 1864 that the sale within reported be finally ratified and confirmed, no cause to the contrary thereof having been shown, although notice seems to have been given according to the preceding order.

The Trustee is allowed the usual Commissions and his expenses not personal

And thereupon further process of and upon the premises aforesaid was by regular continuances continued from term to term of the said Court until the first Monday of November in the year aforesaid, the parties aforesaid, by their Solicitors aforesaid, and Philemon B. Hopper Esquire, Auditor, files in Court here, the following report and Audit, to wit:

John H. Price's Ex^{rs} } J. B. Ricard
vs }
The Heirs at Law & adm^{rs} }
of Solomon Spear }

In the Cir Court of Q. A. Co.
Sitting as a Court of Equity

To the Hon. Jno. M. Robinson Judge

The auditor reports that he has examined the proceedings in this cause and has therefrom prepared the following account between the real estate mentioned and the Trustee for the sale thereof, in which he has in the first instance allowed to the Trustee his Commissions and expenses and to the Complainants and Defendants each their costs of suit, and to the Auditor his fee. In consequence of the claim of Complainants being for the purchase money of the lot which the Trustee sold for \$935. it became necessary to treat that sum and the balance for which the other real estate sold as separate and distinct funds, and having made the first named contribute its proportion to the expenses and costs of this proceeding, he assigned the residue thereof to the Complainants which left a balance due them, which balance was admitted into the distribution of the other assets. From the other portion of the assets, not subject to any lien, he first deducted its proportion of the expenses and costs of this proceeding, and next assigned out of the balance to the widow for her dower the one seventh of the nett proceeds, the residue he applied to the payment of claims as follows, he first allowed to the claims from 18 to 41 inclusive 19 1/2 per cent to place them on a footing with the first named 17 claims, which had received that amount from the personal estate, and to all the claims including the balance on claim No 1, he applied what remained, giving to all alike 22 2/3 per cent on the amount of the respective claims, the claims from 1 to 17 inclusive having received a dividend from the personal estate received only in this distribution 22 2/3 per cent of the residue as before explained, while claims from 18 to 41 inclusive received first a dividend of 19 1/2 per cent and afterwards 22 2/3 per cent.

The amount allowed to the widow is endorsed for the use of M. S. Rice according to her assignment thereof filed. The auditor calls attention to the fact, that claims from 30 to 41 here not being filed, and that he examined the registry of claims in the Orphans Court room and made a statement of them therefrom, as they all had been regularly approved and passed by the Orphans Court, or allowances, the Auditor thought it advisable to report upon them as if they were in fact filed, leaving to the Court to take such action as it deemed best in reference to them

All of which is respectfully submitted

P. B. Hopper, Auditor
Nov 24 1867

Dr. The Real Estate of Solomon Spear decd in account with P. B. Hopper Trustee for the Sale thereof Cr.

To the Trustee for his Commissions			84	72
To the Trustee for his expenses			13	75
To the Complainants for costs of suit viz:				
Solicitor	20	00		
M. Brown late Clerk for fees	2	60		
James Neeters late Clerk	3	05		
D. C. Lyntt ltr for fees	3	70		
Same for probable costs	12	00		
Geo. J. Powers Shff	1	35		
B. M. Wright Comm ^{ee} to take testimony	4	10		
R. Goldsborough Clk to same	2	50		
W. J. McGuire witness		75	50	05
To the Defendants for their costs of suit viz:				
Solicitor	10	00		
Clerk	2	30	12	30
To the Trustee for costs of dividend on personal estate				55
To George W. Tallonfield Collector for taxes			161	37
To the Complainants, Exrs of Jno. S. Rice in part of claim No 1			78	36
			858	75

To the Complainants for dividend on balance of	"	"	365	21	81	07
To Thos. W. Whaland for	"	on his	"	2	56	91
To Price & Hallowfield	"	"	"	3	15	24
To Same	"	"	"	4	9	47
To Same	"	"	"	5	2	23
To Wm S. Price	"	"	"	6	10	74
To Same	"	"	"	7	15	42
To Samuel Roberts	"	"	"	8	215	02
To Wm S. Price	"	"	"	9	16	32
To C. J. B. Mitchell	"	"	"	10	47	90
To R. J. Carter	"	"	"	11	14	88
To Jos. M. Vickers	"	"	"	12	7	26
To F. W. Lowe	"	"	"	13	8	56
To C. J. B. Mitchell	"	"	"	14	25	53
			810	69	1218	45
By amount of proceeds of real estate as per Trustee's report same					1735	00
Amt carried over					1735	00

Dr. The Real Estate of Solomon Spear in account with P. B. Hopper Trustee for the sale thereof Cr.

			Claims		Dividends	
To Amounts brought over			810	69	1218	45
To Sarah Swan for dividend on claim	N ^o 15		11	80	2	62
To Benjamin Sheppard	N ^o 16		9	53	2	12
To John W. Price	N ^o 17		3	35		74
To C. R. Waightson for the two dividends on	N ^o 18		9	93	4	13
To W. & McFeely	N ^o 19		45	06	18	78
To Wm R. Menitt & Co	N ^o 20		43	26	18	03
To Maxwell & Michie	N ^o 21		130	76	54	53
To W. S. Adams	N ^o 22		30	71	12	82
To Jno. A. Thompson	N ^o 23		4	78	1	99
To J. C. Rufsum	N ^o 24		19	00	7	91
To Nathan Porter	N ^o 25		81	26	33	88
To J. B. Charron & Co	N ^o 26		125	11	52	26
To R. E. Davidson & Co	N ^o 27		35	66	14	87
To Jno. C. Blake	N ^o 28		94	55	39	42
To Same	N ^o 29		68	64	28	62
To James A. Wilson	N ^o 30		6	09	2	54
To James Davidson	N ^o 31		72	35	30	17
To Thomas J. Keating	N ^o 32		18	49	7	70
To Jno. E. Hand	N ^o 33		2	45	1	02
To Jos. T. Gordon	N ^o 34		73	80	30	77
To Geo. DeRocheune	N ^o 35		50	14	20	90
To J. J. Taylor	N ^o 36		2	11		87
To Mallalieu & Bro.	N ^o 37		6	35	2	65
To Thos. F. Hamington	N ^o 38			80		33
To Wm. H. Price	N ^o 39		11	10	4	62

To H. J. Lawrence " " " " No 40
 To Geo. S. Bryan " " " " No 41
 To Louisa A. Spear widow, use of W. S. Luce
 To the Auditor for his fee -

No 40	6	44	2	68
No 41	11	24	4	68
			101	20
			13	70
		1785	45	1735 00
				1735 00
				1735 00

By amount brought over

P. B. Hopper Auditor

Nov 28 1867

And on the sixth day of November in the year last aforesaid, the following affidavit was filed, to wit:

I hereby certify that on this fifth day of November in the year 1867 personally appeared before the subscriber one of the Justices of the Peace of the State of Maryland in and for Queen Anns County Mrs Leonora Sherwood and made oath on the Holy Evangelry of Almighty God that to the best of her knowledge and belief the age of Mrs Louisa A. Smith formerly Mrs L. A. Spear was at the death of her father Solomon Spear about 34 years.

G. M. Handy J. P. Seal

And on the fourth day of January in the year Eighteen hundred and sixty eight, the Court pass an Order ratifying the Auditors report heretofore filed, as follows, to wit:

Ordered this 4th day of January 1868 that the foregoing auditors report and account be ratified and confirmed, no cause to the contrary thereof having been shown although the said report has been regularly filed and remained on file according to the rules of this Court. The Trustee is directed to pay over accordingly with a due proportion of interest received to the several claimants

Jno. M. Robinson

Whereupon the said cause was by order of the Court here discontinued.

Test

James Wooters, Clerk.

William Francis Massey
 vs
 Mary Jane Massey, Josiah
 Louis Massey, Richard Henry
 Massey, Annie Cooper Massey,
 Susan Jane Massey, Robert Crannel
 Massey, Ida V. Massey and George Massey

Be it remembered, that on the third day of No-
 vember in the year Eighteen hundred and sixty
 five, William Francis Massey, by John B. Brown,
 Esquire, his Solicitor, filed in the Circuit
 Court for Queen Annes County, sitting as a
 Court of Equity, his Bill of Complaint against
 the said Mary Jane Massey, Josiah Louis Mas-
 sey, Richard Henry Massey, Annie Cooper
 Massey, Susan Jane Massey, Robert Crannel
 Massey, Ida V. Massey and George

Massey, Susan Jane Massey, Robert Crannel Massey, Ida V. Massey and George
 Massey, in the following words, to wit:

To the Honorable John M. Robinson Judge of the Circuit Court for
 Queen Annes County in Equity:

The Bill of Complaint of William Francis Massey, of Queen Annes Coun-
 ty, State of Maryland, to your Honor humbly sheweth, that heretofore, to wit:
 On or about the ninth day of July in the year Eighteen hundred and sixty four
 Josiah Massey, late of said County deceased, departed this life possessed of
 considerable Real Estate situate, lying, and being in County aforesaid, consis-
 ting among others of a tract of land situate in the Second Election District of
 said County and which was purchased by said Josiah Massey, of one John
 H. Evans and containing five hundred acres of land more or less, also one other
 tract of land situate in same Election District of said County and which was
 conveyed to said Josiah Massey by Edward Beck and Mary E. Beck, his wife,
 by Deed bearing date the ninth day of August Eighteen hundred and six-
 ty two, recorded among the land record Books for Queen Annes County
 and which said tract contains one hundred and sixty six acres, three rods
 and twenty three perches of land more or less, and also part of a house and lot
 situate in Sandtown in said County, conveyed to said Josiah Massey by Sam-
 uel J. Duhamel and Elizabeth Duhamel, his wife, by deed bearing date April
 thirteenth Eighteen hundred and sixty three, and recorded among the land records
 of Queen Annes County, and leaving a widow Mary Jane Massey, surviving him,
 and the following named children and Heirs at Law, to wit: Your Orator (the
 said William Francis Massey), Josiah Louis Massey, Richard Henry Massey,
 Annie Cooper Massey, Susan Jane Massey, Ida V. Massey, Robert Crannel
 Massey and George Massey, all of whom are Infants under the age of twenty
 one years excepting your Orator, who is the eldest male child of the said Josiah
 Massey deceased and above twenty one years of age; that said Mary Jane Mas-
 sey, widow of Josiah Massey, as aforesaid, and the said Annie Cooper Massey,
 Robert Crannel Massey, Susan Jane Massey, Ida V. Massey and George
 Massey Massey reside in Kent County, of the State of Maryland and your
 Orator and the said Josiah Louis Massey and Richard Henry Massey reside
 in Queen Annes County aforesaid. Your Orator further sets forth that said
 Real Estate is incapable of division into as many parts as there are children
 and Heirs at Law entitled thereto as aforesaid without loss and injury to all
 of them and that it doth not certainly appear to your Orator into how many
 parts same may be divided without loss and injury as aforesaid.

Your Orator also sets forth that as eldest male heir of said Josiah Massey
 and above the age of twenty one years he is entitled to have said Real Estate
 valued and divided under the directions of this Court and to elect to take
 some or such part thereof as he may see fit at the valuation to be affixed
 thereto as aforesaid, or to have some or such part thereof as may not be taken
 under Election sold, and the proceeds of sale distributed among the parties

entitled thereto in accordance with their respective interests in said Real Estate, and that some of the parties being infants under twenty one years of age this Court has jurisdiction in the matter.

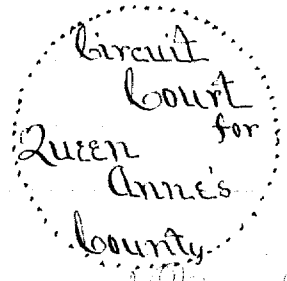
To the end therefore that said Mary Jane Massey, Josiah Louis Massey, Richard Henry Massey, Annie Cooper Massey, Susan Jane Massey, Ida V. Massey, Robert Crannel Massey and George Massey may answer the premises, and that said Real Estate may be divided, valued and allotted among all the parties entitled thereto if same can be done without loss and injury to them, or that same may be divided into as many parts as it may be susceptible of without loss and injury as aforesaid and that your Orator may elect to take same or such part thereof as he may see fit at the valuation to be affixed thereto as aforesaid; or that said Real Estate or such part thereof as may not be taken under election may be sold by a Trustee of this Court and the proceeds distributed among the parties entitled thereto in proportion to their respective interests and that your Orator may have such further and other relief as his case may require.

May it please your Honor to grant unto your Orator the writ of Subpoena against the said Mary Jane Massey, Annie Cooper Massey, Susan Jane Massey, Ida V. Massey, Robert Crannel Massey and George Massey resident in Kent County and the said Josiah Louis Massey and Richard Henry Massey resident in Queen Anne's County, commanding them to appear in this Court at some certain day to be therein named to answer the premises and abide by and perform such decree as may be passed therein and furthermore that your Honor may appoint and issue a Commission to five discreet, sensible men of Queen Anne's County to be Commissioners authorizing them or a majority of them to value and divide said Real Estate according to act of Assembly in such case made and provided.

And as in duty bound will ever pray

John B. Brown
Solicitor of Complaint

Whereupon Subpoenas were issued for the said Mary Jane Massey, Josiah Louis Massey, Richard Henry Massey, Annie Cooper Massey, Susan Jane Massey, Robert Crannel Massey, Ida V. Massey and George Massey according to the prayer of the Complainant; and the said several parties being returned & Summomed; afterwards to wit: On the second day of December in the year aforesaid, a Commission was issued to Jesse R. Hines of Kent County to assign and appoint a guardian to answer for the infants, Annie Cooper Massey, Susan Jane Massey, Robert Crannel Massey, Ida V. Massey and George Massey, and to take the answers of the said infants the said Bill of Complaint, in the words following to wit:



Queen Anne's County, to wit: The State of Maryland, To Jesse R. Hines Esquire, of Kent County, Greeting Whereas William Francis Massey has lately exhibited his Bill of Complaint, against Mary Jane Massey, Josiah Louis Massey, Richard Henry Massey, Annie Cooper Massey, Susan Jane Massey, Robert Crannel Massey, Ida V. Massey and George Massey on the Equity side of the Circuit Court for Queen Anne's County. And Whereas the said Court has commanded the said Mary Jane Massey, Josiah Louis Massey, Richard Henry Massey, Annie Cooper Massey, Susan Jane Massey, Robert Crannel Massey, Ida V. Massey and George Massey to appear before the said Court at a certain day now past to answer the said Bill of Complaint, but for as much as the said Annie Cooper Massey, Susan Jane Massey, Ida V. Massey, Robert Crannel Massey and George Massey,

are infants under age and cannot answer the said Bill, nor defend the said suit without having a guardian assigned in that behalf, know you therefore that the said Court has given unto you full power and authority to assign and appoint a guardian for said infants, and take the answer of said infants by such guardian to the said Bill, and you are hereby requested that at such day and place, as you shall think fit, you go to said infants if they cannot conveniently come to you, and assign and appoint a guardian to said infants and take the answers of said infants to the said Bill, on such guardians corporal oath to be administered by you, the said answer being distinctly and plainly written, and when you shall have taken such answers, you are to send the same closed up under your hand and seal, together with your certificate of having assigned and appointed such guardian as aforesaid, and this writ unto the said Circuit Court.

Witness the Honorable John M. Robinson Judge of said Court the sixth day of November Eighteen hundred and sixty five.
 Issued this 2^d day of December 1865

Samuel C. Dayott, Clerk

And on the day and year aforesaid, a commission was issued to John G. Watson of Queen Anne's County, to assign and appoint a Guardian for the infants Josiah Louis Massey and Richard Henry Massey and take the answers of said infants to the said Bill of Complaint in the words following to wit:

Queen Anne's County to wit: The State of Maryland, To John G. Watson Esquire, of Queen Anne's County, Greeting, Whereas William Francis Massey has lately exhibited his Bill of Complaint against Mary Jane Massey, Josiah Louis Massey, Richard Henry Massey, Annie Cooper Massey, Susan Jane Massey, Robert Crannel Massey, Ida V. Massey & George Massey on the Equity side of the Circuit Court for Queen Anne's County, and whereas the said Court has commanded the said Mary Jane Massey, Josiah Louis Massey, Richard Henry Massey, Annie Cooper Massey, Susan Jane Massey, Robert Crannel Massey, Ida V. Massey and George Massey to appear before the said Court at a certain day now past to answer the said Bill of Complaint. But for as much as the said Josiah Louis Massey, Richard Henry Massey are infants under age and cannot answer the said Bill, nor defend the said suit without having a guardian assigned in that behalf. Be it therefore known that the said Court has given unto you full power and authority to assign and appoint a guardian for said infants, and take the answer of said infants, by such guardian to the said Bill, and you are hereby requested that at such day and place as you shall think fit, you go to the said infants if they cannot conveniently come to you, and assign and appoint a guardian to said infants and take the answer of said infants to the said Bill, on such guardians corporal oath on the Holy Evangelists of Almighty God, to be by you administered, the said answer being distinctly and plainly written, and when you shall have taken such answer you are to send the same closed up under your hand and seal, together with your certificate of having assigned and appointed such guardian as aforesaid, and this writ unto the said Circuit Court.

Witness the Honorable John M. Robinson Judge of said Court the

sixth day of November Eighteen hundred and sixty five.

Issued this 2^d day of December 1865

Samuel C. Dyott Clerk

And afterwards, to wit, on the eleventh day of January in the year eighteen hundred and sixty six, the said John G. Watson to whom a Commission was heretofore issued to assign and appoint a Guardian, and take the answers of the infants Josiah Louis Massey and Richard Henry Massey, made return to the Court of the execution of said Commission as follows, to wit

To the Honorable John M. Robinson Judge of the Circuit Court for Queen Annes County

The subscriber being the Commissioner named in the annexed Commission hereby certifies that in execution of the powers thereby vested in him he did on the first day of January in the year 1866 proceed to the house of William F. Massey in Queen Annes Co. where the said Josiah Louis Massey and Richard Henry Massey, the infants named in said Commission, then were, and caused the said infants to be brought before me, and then and there in the presence of the said infants assigned and appointed Geo. C. Frenchard of Queen Annes County, Guardian to said infants and took the answers of said infants, by their said Guardian under the oath of said guardian by me administered to the Bill of Complaint in said Commission mentioned, which said answer with said Commission is herewith returned, closed under my hand and seal this first day of January 1866

John G. Watson 

The answer of Josiah Louis Massey and Richard Henry Massey infants under the age of twenty one years by Geo. C. Frenchard their Guardian to the Bill of Complaint of William Francis Massey against them exhibited

These Defendants cannot admit any of the matters and things alleged in the said Bill, and being infants of tender years submit their rights to the protection of this Court.

Geo. C. Frenchard

And on the twentieth day of March in the year last aforesaid, the said Jesse R. Hines to whom a Commission was heretofore issued to assign and appoint a Guardian and take the answers of the infants Annie Coepper Massey, Susan Jane Massey, Robert Crummi Massey, Ida V. Massey and George Massey, made return to the Court of the execution of said Commission as follows, to wit

To the Honorable John M. Robinson Judge of the Circuit Court for Queen Annes County

The subscriber being the Commissioner named in the annexed Commission, hereby certifies that in execution of the powers thereby vested in him, he did on the thirtieth day of March in the year 1866, proceed to the house of Mary Jane Massey, where the said Annie Coepper Massey, Susan Jane Massey, Robert Crummi Massey, Ida V. Massey and George Massey, the infants named in said Commission then were, and caused the said infants to be brought before me, and then and there in the presence of the said infants assigned and appointed George Hickers of Kent County, Guardian to said infants, and took the answers of said infants, by their said guardian, under the oath of said guardian, by me administered to the Bill of Complaint in said Commission mentioned, which said answer with said Commission is herewith returned, closed under my hand and seal, this 15th day of March 1866

Jesse R. Hines

The answer of Annie Cooper Massey, Susan Jane Massey, Robert Grandel Massey, Ida V. Massey and George Massey, infants under the age of twenty one years by George Vickers Esq, their Guardian to the Bill of Complaint of William Francis Massey against them exhibited. The Defendant answering by their Guardian aforesaid, to the said Bill of Complaint say that they do admit the truth of the several matters and things set forth in said Bill and pray that the Court will protect their interest in the premises, and they pray hence to be dismissed with their costs. I further certify that since the filing of the Bill in this Cause, George Massey one of the infants herein mentioned has died intestate.

George Vickers
Guardian for Infants

State of Maryland Queen Anne's County to wit:

On this fifteenth day of March 1866 the within named George Vickers appeared before me, Commissioner, and made oath in due form of law, that the matters and things stated in the foregoing answer are true to the best of his knowledge and belief.

Jesse K. Hines
Commissioner

And on the day and year last aforesaid, the said Geo. C. Frenchard and George Vickers Guardians to the aforesaid infants, as also the said Mary Jane Massey appear in Court here by George Vickers Esquire, their Solicitor, and the said Mary Jane Massey by her Solicitor aforesaid, on the day and year last aforesaid, files her answer to the said Bill of Complaint as follows, to wit:

William Francis Massey } On the Equity Side of the Circuit Court
Mary Jane Massey } for Queen Anne's County

To the Honorable John M. Robinson Judge of the Circuit Court for Queen Anne's County in Equity

The answer of Mary Jane Massey one of your respondents, in this Cause to the Bill of Complaint of William Francis Massey against her and others in this Cause exhibited answering says, That she admits the material facts charged in the said Bill of Complaint to be true as therein charged, That the said Josiah Massey died possessed of the real estate therein mentioned that he owed a part of the purchase money on the Evans farm, and which was not due at the time of his death and is not yet due, as your respondent is informed, that the title to said last mentioned farm is under a contract from the said Evans. That the said Josiah Massey left the following children, to wit, William Francis Massey, Josiah Massey, Richard Henry Massey, Annie Cooper Massey, Robert Grandel Massey, Susan Jane Massey & Ida V. Massey living at the time of his death and at that time all minors under the age of Twenty one years that the said William F. Massey has since arrived at the age of twenty one years and that since the death Josiah Massey another child has been born to him to wit, George L. Massey.

And her answering this respondent says that she is willing for a decree for a sale of the small farm purchased of Edward Beck, and a portion of the purchase money shall be allotted to her in lieu of dower in the same but is unwilling to release her Dower in the large farm purchased of

J. H. Evans and wishes it located and assigned to her.
 This Respondent further answering says that she has been creditly informed that a large amount of the purchase money for the Evans farm is unpaid, that the personal estate of her late husband will be insufficient to pay said debt, and that a large portion of the money which the Beck farm would sell for, will be necessary to pay said debt. She is therefore willing that a Decree shall pass for the sale of said Beck farm - and to take her interest in same in money and as in duty bound &c

George Nickers Solicitor
 for Mary J. Massey

And on the thirty first day of March in the year last aforesaid, the Court here, pass an Inhibitory Decree in the said cause, as follows, to wit:

William Frances Massey
 vs
 Mary Jane Massey, Josiah Louis Massey & others

In the Circuit Court for Queen Anne's County
 In Equity

This cause standing ready for hearing and being submitted without argument the proceedings were read and considered.

And it appearing to this Court that George Massey youngest child and heir at law of Josiah Massey late of Queen Anne's County decd, has departed this life since the commencement of the proceedings in this cause leaving as his heirs at law the remaining children and heirs at law of the said Josiah Massey deceased.

It is thereupon by this the Circuit Court for Queen Anne's County in Equity and by the authority thereof, adjudged, ordered and decreed that there be a partition of the Real Estate of which the said Josiah Massey died seized and possessed among the said William Frances Massey, Josiah Louis Massey, Richard Henry Massey, Annie Cooper Massey, Susan Jane Massey, Ida W. Massey and Robert Crannel Massey.

And to the end that this Court may be enabled to make such partition, it is further adjudged, ordered and decreed that a Commission issue in the usual form, to John Brown, John H. Evans, John L. Elliott, Saml. B. Meredith & William Elliott of Queen Anne's County, in the State of Maryland authorizing them or any four or three of them to enter upon walk over and survey the said Real Estate and value the same, subject to all incumbrances, if any thereon, and to divide the same into seven equal parts, having regard to quantity and quality if in their opinion the said Real Estate be susceptible of such division with advantage to all the parties interested therein, and to allot one of such divisions to the Complainant, William Frances Massey, and one to each one of the Defendants heirs at law as aforesaid. and if in their opinion, the said Real Estate be not susceptible of such division, with advantage to all the parties interested therein, then that they proceed to divide the same into such lesser number of parts as they may deem most to the advantage of all the parties interested therein and to ascertain the value of each part thereof, subject to any incumbrances thereon, having regard as aforesaid to quantity and quality. and if in their opinion the said Real Estate will not admit of division without loss or injury to the parties then that they make return of their said judgment and the reasons upon which the same was formed, with the real value of the estate subject to any incumbrances thereon. And that the said Commissioners lay off the debt of the Defendant, Mary Jane Massey, the widow of the deceased, in the said

Real Estate before they proceed to value or divide same, and that the said Commissioners make out or cause to be made out a plat and certificate of the said Real Estate, and of the division thereof, with the beginning and courses, and an accurate description of the said Estate and of the several parts thereof. And to the said Commission there shall be annexed the usual oath of office. Comerys his den will attend on the execution of the Commission as guardian for the minors.

Jno. M. Robinson

And thereupon, in pursuance of the order in said Interlocutory Decree, a Commission was issued to John Brown, John H. Evans, John D. Elliott, Samuel B. Meredith and William Elliott of Queen Annes County, aforesaid, in the words and of the tenor following, to wit:

Queen Annes County, to wit: The State of Maryland, To John Brown, John H. Evans, John D. Elliott, Samuel B. Meredith & William Elliott of Queen Annes County, Greeting: Know ye that pursuant to an order of the Circuit Court for Queen Annes County, sitting in Equity, passed this day in a cause therein between William Francis Massey, Complainant, and Mary Jane Massey, Josiah Louis Massey, Richard Henry Massey, Annis Keeper Massey, Susan Jane Massey, Robert Grannel Massey & Ida V. Massey, Defendants, you or a majority of you are authorized and empowered having first taken the oath hereunto annexed, to enter upon, walk over, and adjudge and determine whether the real estate mentioned in the above named cause, and described as, a tract of land situate in the second Election District of said County, and which was purchased by said Josiah Massey of one John H. Evans and containing five hundred acres of land more or less, also one other tract of land situate in same election District of said County, and which was conveyed to said Josiah Massey by Edward Beck and Mary C. Beck his wife by deed bearing date the ninth day of August eighteen hundred and sixty two among the land records of Queen Annes County and which said tract contains one hundred and sixty six acres three rods and twenty three perches of land more or less, and also part of a house and lot situate in Sand Town in said County, conveyed to said Josiah Massey by Samuel A. Duhamel and Elizabeth Duhamel his wife by deed bearing date April thirteenth eighteen hundred and sixty three and recorded among the land records of Queen Annes County, will admit of being divided without loss or injury to all the parties entitled, and to ascertain the value of said estate in lawful money, taking into consideration any encumbrances thereon, and to ascertain the value of said estate subject to the incumbrances, and if the estate can in your opinion and judgment, or in the opinion or judgment of a majority of you be divided without loss or injury to all the parties entitled, then to divide the same into seven equal parts, having regard to quantity and quality, if in their opinion the said Real Estate be susceptible of such division with advantage to all the parties interested, and to allot one of such divisions to the Complainant, William Francis Massey, and one to each one of the Defendants heirs at law. Or if in your opinion or in the opinion of a majority of you the said Real Estate be not susceptible of such division, with advantage to all the parties interested therein, then you or a majority of you shall divide the said Real Estate into such less or number of parts as you may deem most to the advantage of all the parties interested therein, and to ascertain the value of each part thereof, subject to any incumbrances thereon, having regard as aforesaid to quantity and quality, and if in your opinion and judgment, or in the opinion and judgment of a majority of you the said Es-

estate cannot be divided without loss and injury to all the parties entitled then you or a majority of you shall make return to our said Court of your judgment and of the reasons upon which the same was formed, and the real value of the said estate in lawful money, subject to the incumbrances if any thereon, and you or a majority of you lay off the dower of the defendant Mary Jane Masey the widow of the deceased, in the said Real Estate before you proceed to value or divide the same, and if you or a majority of you shall determine that the said estate can be divided in either of the ways hereinbefore mentioned, without loss or injury to all the parties, then you shall cause the lands to be surveyed and laid out by the County Surveyor or such other person as you may think qualified, for the several parties, and that you make out or cause to be made out a certificate and plat of the said Real Estate and of the division thereof, with the beginnings and courses, and an accurate description of the said Estate and of the several parts thereof, and if the said estate shall be equally divided among all the parties interested according to their several just proportions you or a majority of you shall allot to the several parties their respective shares of the said Real Estate. And you or a majority of you before you proceed to execute this Commission, shall cause notice to be given to all the parties concerned, if they reside within this State, by advertisement set up at the door of the Court House of the County aforesaid, and in such other public places in the County as you may direct, at least thirty days prior to your proceeding to execute this Commission, and if the parties or any of them reside out of the State of Maryland then you or a majority of you before you proceed to execute this Commission, shall cause notice thereof to be given by advertisement set up at the door of the Court House in the County aforesaid, and in such other public places as you may direct, and also in such newspaper or newspapers as you may direct at least two months previous to your proceeding to execute this Commission, and you or a majority of you having made partition or allotment in manner aforesaid, shall make return of your proceedings under this Commission to the next Circuit Court for Queen Anne's County, to happen thereafter, and this shall be your sufficient authority.

Witness the Honorable John M. Robinson Judge of the said Court
the 22^d day of January 1866

Issued the 31st day of March 1866

Samuel E. Dwyer, Clerk

Commissioners Oath

Queen Anne's County, to wit. Be it remembered that on the 2^d day of March in the year Eighteen hundred and sixty six, before me the subscriber, a Justice of the Peace of the State of Maryland in and for the County aforesaid personally appeared John Brown, J. H. Evans, J. D. Elliott, Saml. B. Meredith and William Elliott and made oath on the Holy Evangelists of Almighty God that they will well and faithfully perform the duties required of them by the foregoing Commission and all duties assigned them under article 47 of the Code of Public General Laws of the State of Maryland and that they will proceed in the execution and completion of the said Commission without fear, partiality or prejudice, and according to the best of their judgment and understanding.

Sworn before

Jas B. Ruth, J. P.

And on the seventh day of May in the year last aforesaid, the Commissioners to whom the foregoing Commission was in form aforesaid directed, make return to the Court here, of the execution of said Commission, as follows, to wit:

perches, South thirty three degrees East nineteen perches, North eighty one degrees East thirty two perches and East sixteen perches, thence South twenty six degrees forty five minutes East one hundred and twenty six perches and a half perch, thence North sixty seven degrees thirty minutes East fifty six perches, thence South sixty eight degrees East twenty five perches, thence South twenty seven degrees West eighty six perches and South thirty five degrees West twenty two perches and three quarters of a perch to the Beginning, containing three hundred and forty three acres, one rood & twenty one perches of land. I then by the direction of said Commissioners, laid off upon the Eastern side a portion of the said tract as the Widow's Dower, as follows, Beginning at the end of the twenty sixth line and running thence South sixty seven degrees thirty minutes West ninety perches, and thence North thirty degrees thirty minutes West to the back shore, containing one hundred and twenty acres of land

James W. Thompson Surveyor
May 2^d 1866

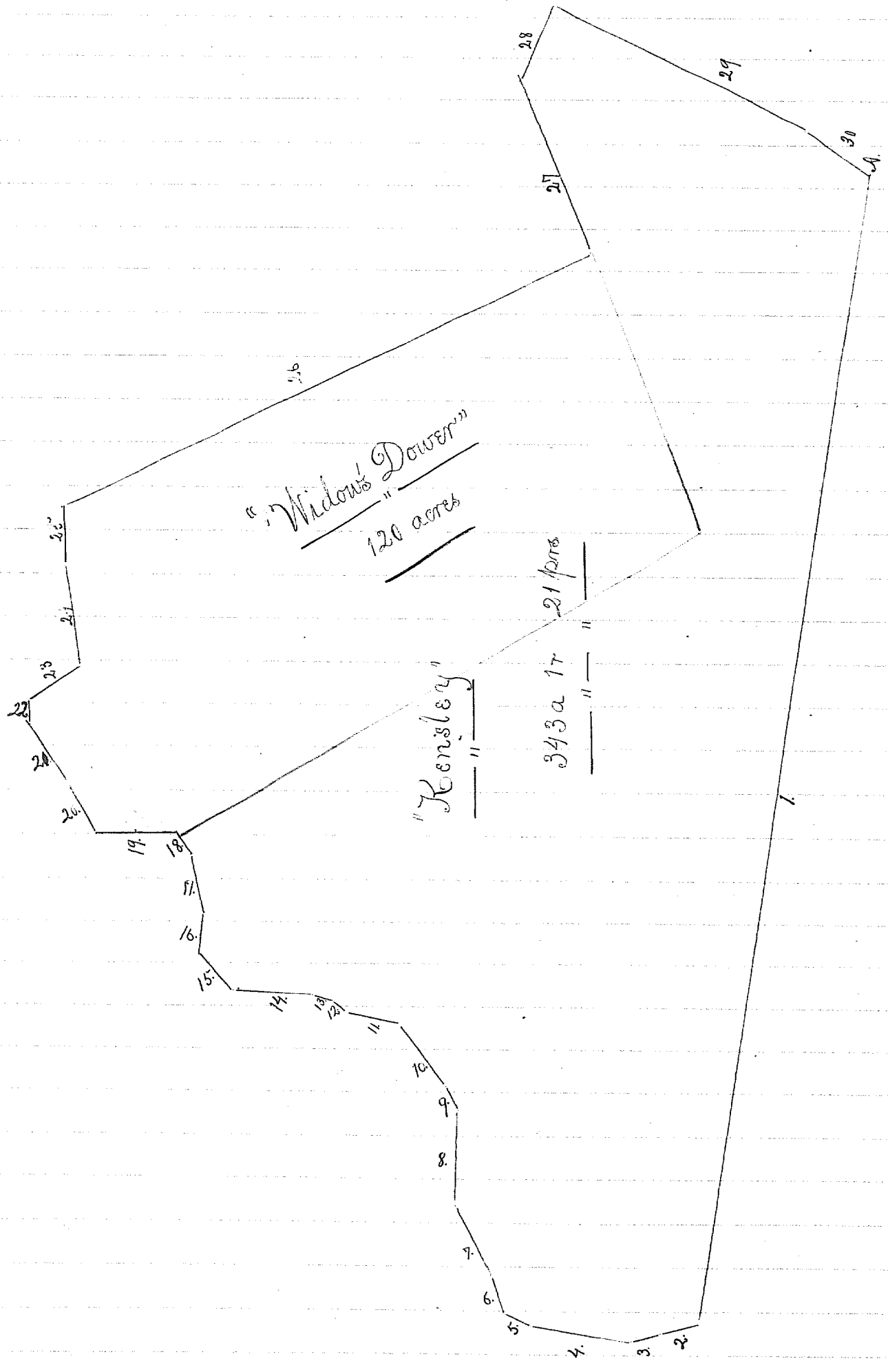
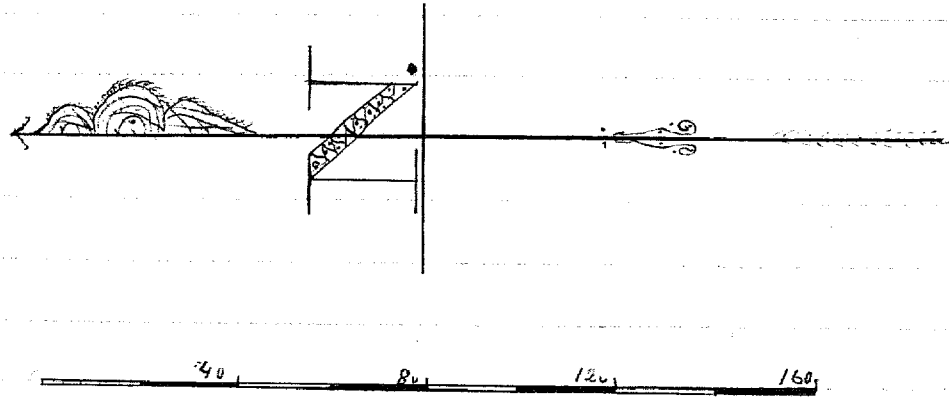


Table of Courses		
S	Bearings	Distances
1	N. 82° W.	35 1/2 perches.
2	N. 11° 30' W.	12 "
3	N. 16° W.	9 "
4	N. 10° E.	31 "
5	N. 26° E.	9 "
6	N. 74° E.	12 "
7	N. 65° E.	24 "
8	East	30 "
9	N. 60° E.	8 "
10	N. 55° E.	24 "
11	N. 11° E.	16 "
12	N. 38° E.	6 "
13	N. 21° E.	6 "
14	N. 3° 30' E.	24 "
15	N. 50° E.	14 "
16	S. 88° E.	12 "
17	N. 78° E.	18 "
18	N. 55° E.	8 "
19	N. 1° W.	24 "
20	N. 59° E.	16 "
21	N. 56° E.	22 "
22	N. 84° E.	8 "
23	S. 33° E.	19 "
24	N. 81° E.	32 "
25	East	16 "
26	S. 26° 45' E.	176 1/2 "
27	N. 67° 30' E.	56 "
28	S. 68° E.	25 "
29	S. 27° W.	86 "
30	S. 35° W.	22 3/4 "

343a 17. 21 perches.



James W. Thompson, Surveyor
May 2^d 1866

I hereby certify that I have surveyed for John Brown, Samuel Meredith, John H. Evans, John D. Elliott and William Elliott Esqrs Commissioners to value and divide the real estate of Josiah Mapey, late of Q. A. Co. Md. Decd, a set of Woodland, belonging to the farm, a part of said Decedent's Estate called "Kensler" and contained within the following metes and bounds courses and distances to wit: Beginning at a large Oak Tree on the South side of the road from Church Hill to South East Creek, and running thence South seventeen degrees West thirty seven perches and seven tenths of a perch, thence South forty eight degrees thirty minutes East seventy two perches, thence North fifty two degrees thirty minutes East eighty four perches, thence North forty six degrees West thirty two perches, thence North eighty eight degrees West thirty four perches, thence South eighty one West sixteen perches, thence North twenty three degrees thirty minutes East thirty four perches, thence North forty three degrees West forty three perches and a half perch and thence South twenty degrees West sixty perches to the Beginning containing forty seven acres two rods and eighteen perches of Land.

These lines were run without using title papers but according to the holdings as pointed out to the Commissioners by John H. Evans Esq

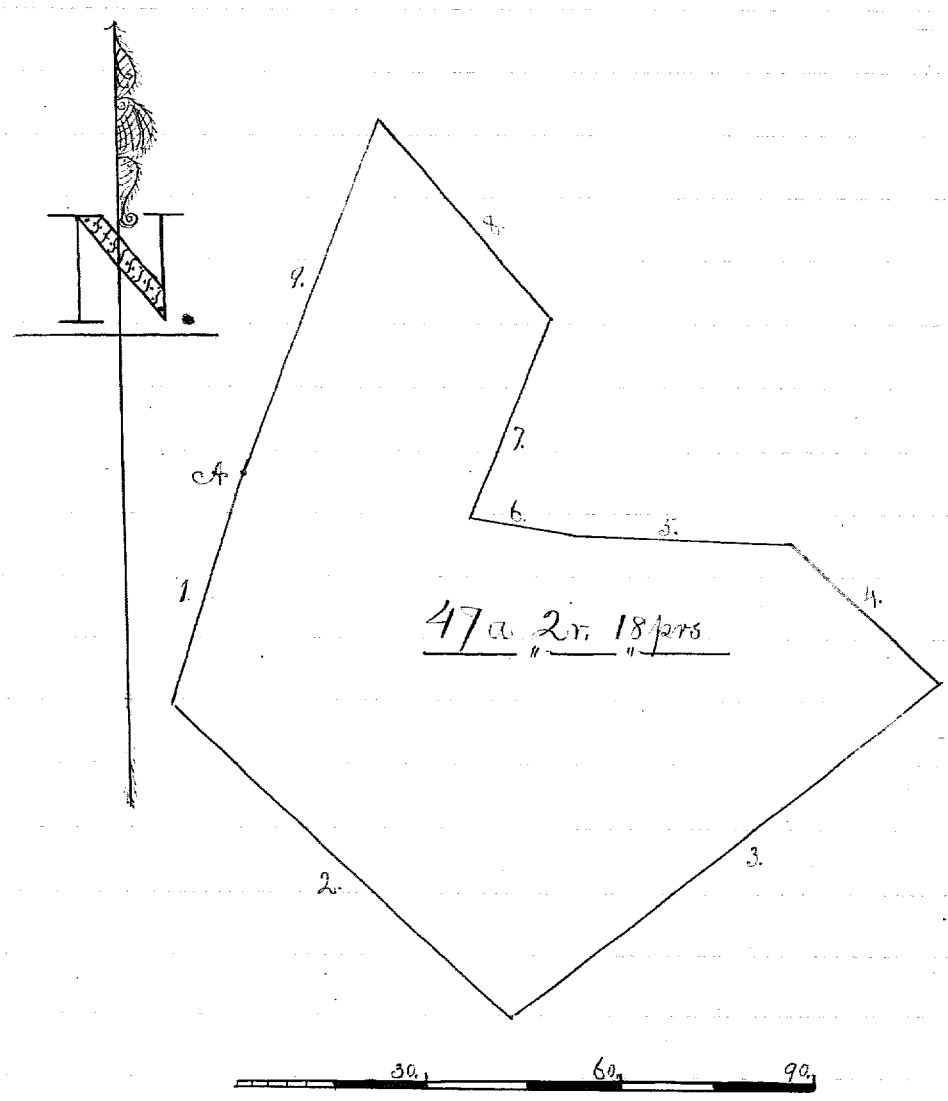


Table of Courses		
S	Bearings	Distances
1.	S. 17° W.	37 7/10 prs
2.	S. 48° 30' E.	72 "
3.	N. 52° 30' E.	84 "
4.	N. 46° W.	32 "
5.	N. 88° W.	34 "
6.	N. 81° W.	16 "
7.	N. 23° 30' E.	34 "
8.	N. 43° W.	43 1/2 "
9.	S. 20° W.	66 "
47 a. 2 r. 18 prs.		

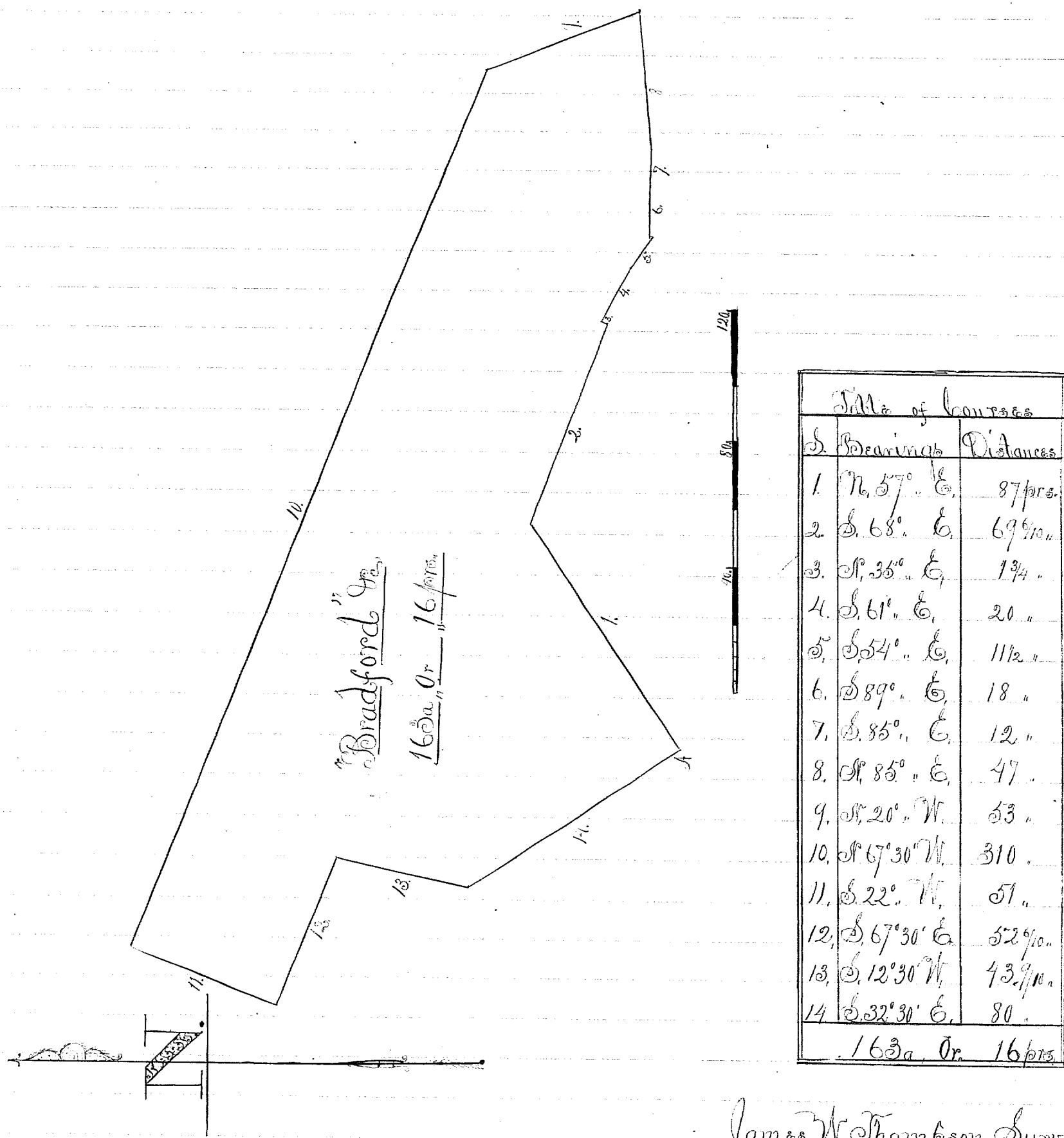
James W. Thompson, Surveyor
May 2nd 1866

I hereby certify that I have surveyed for John Brown, Samuel Meredith, John H. Evans, John D. Elliott and William Elliott Esqrs Commissioners, appointed by the Circuit Court of Q. A. Co. Md, to value and divide the real estate of Josiah Mapey late of Q. A. Co. deceased, a tract of land known by the name of "Bradford" "Elliott's Addition" and other names, now reduced into one tract, contained within the following metes and bounds, courses and distances to wit: Beginning at a large stone, the beginning of Bradford and running thence North fifty seven degrees East eighty seven perches, thence South sixty eight degrees East sixty nine perches and six tenths of a perch, thence North thirty five degrees East one perch and three quarters of a perch thence South sixty one degrees East twenty perches, thence South fifty four degrees East eleven perches and a half perch, thence South eighty nine degrees East eighteen perches, thence South eighty five degrees East twelve perches, thence North eighty five degrees East forty seven perches, thence North twenty degrees West fifty three perches thence North sixty seven degrees thirty minutes West one hundred and ten perches to a stone thence South twenty two degrees West fifty one perches to a stone, thence South

sixty seven degrees thirty minutes East fifty two perches and six tenths of a perch to a stone thence South twelve degrees thirty minutes West forty three perches and nine tenths of a perch and thence South thirty two degrees thirty minutes East eighty perches to the Beginning containing one hundred and sixty three acres and sixteen perches of Land.

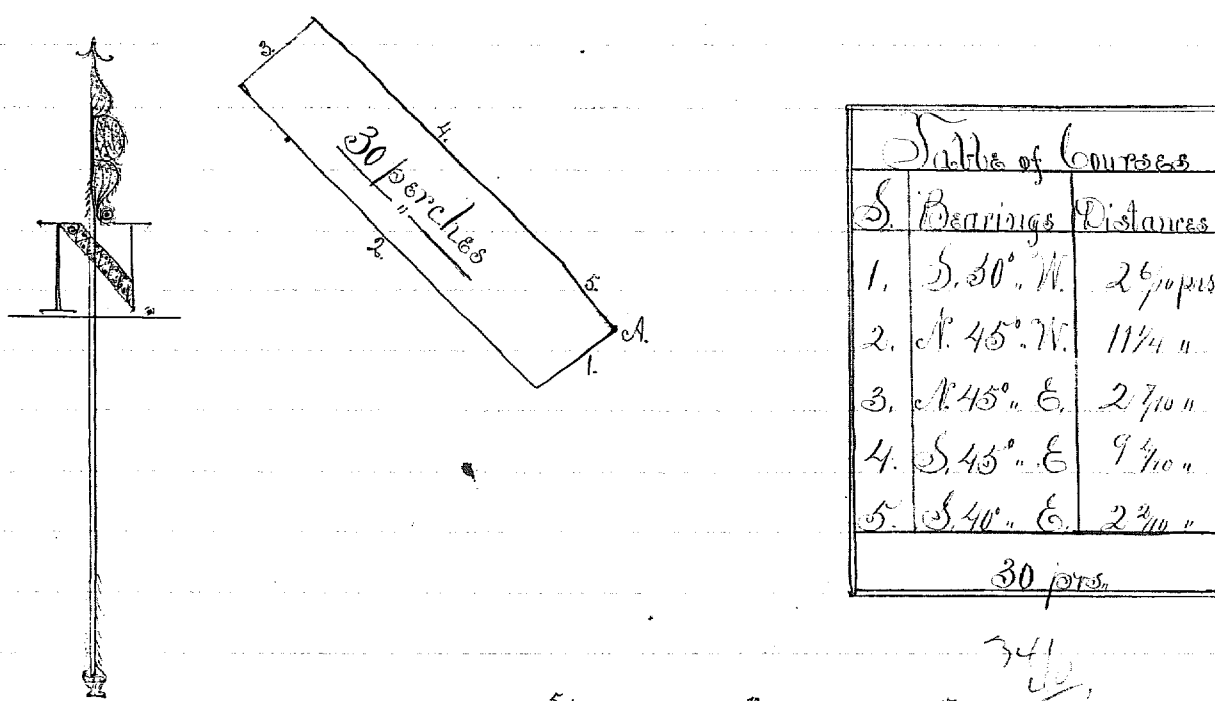
The above lines were run by the holdings, as shown by Mr Samuel Meredith and others

James W. Thompson Surveyor
May 3^d 1866



James W. Thompson Surveyor.
May 3^d 1866

I hereby certify that I have surveyed for John Brown, Samuel Meredith, John H. Evans, John R. Elliott and William Elliott Esqrs. Commissioners, appointed by the Circuit Court of Queen Annes Co. Md. to value and divide the real estate of Josiah Maffey, late of said County deceased, a lot of Land in the Village of Sandtown, contained within the following metes and bounds, courses and distances, to wit: Beginning at the Southeast Corner and running with the Street South fifty degrees West two perches and six tenths of a perch, thence North forty five degrees West eleven perches and a quarter of a perch, thence North forty five degrees East two perches and seven tenths of a perch, thence South forty five degrees East nine perches and four tenths of a perch and thence South forty degrees East two perches and two tenths of a perch to the Beginning, containing thirty square perches of Land.



James W. Thompson, Surveyor.
May 4th 1866

And afterwards, to wit, on the fourteenth day of November in the year last aforesaid, the Court here, pass the following order, to wit:

Massery
vs
Massery &
Others

In the Circuit Court for Queen Anne's County
In Equity

Ordered this 14th day of November in the year Eighteen hundred and sixty six by the Circuit Court for Queen Anne's County, sitting in Equity and by the authority thereof that the Report of the Commissioners heretofore filed in this cause be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown or appearing; and it is furthermore ordered that William S. Massery the party entitled to elect to take said Real Estate at the valuation affixed thereto by the Commissioners, be and he hereby is directed to appear in open Court and make or decline to make said election.

Jno. M. Robinson

And on the sixteenth day of November in the year last aforesaid, comes into Court here, and elects in writing, to take the Real Estate described in the proceedings in the cause called "Kensley" containing, with the Wood lot thereto belonging, three hundred and ninety one acres of land, at the valuation thereof made by the Commissioners, in this cause, and declines to take any part of the residue of said Real Estate at the valuation affixed thereto by the said Commissioners, which said election is in the following words, to wit:

Massery
vs
Massey & others

In the Circuit Court for Queen Anne's County
In Equity

I, William S. Massey, of Queen Anne's County in the State of Maryland, eldest son and one of the heirs at Law of Josiah Massey, late of Queen Anne's County aforesaid, deceased, do hereby elect to take the Real Estate described in the proceedings in the cause called "Kensley" containing with the Wood lot thereto belonging, three hundred and ninety one acres of land, at the valuation thereof made by the Commissioners appointed in this cause; and pray that I may be allowed to give bonds to

the several representatives for payment of their respective proportions of said valuation upon such terms as this Honorable Court may see proper to direct. And I do furthermore decline to take any part of the residue of said Real Estate at the valuation affixed thereto by the said Commissioners and pray the Court that said residue may be sold upon such terms as this Court may deem proper, and that John B. Brown of the aforesaid County, and State may be appointed Trustee to make said sale. And as in duty bound will ever pray &c.

Wm J. Maffrey

And thereupon the Court here, pass the following order and decree to wit:

Maffrey
vs
Maffrey

In the Circuit Court for Queen Anne's County
In Equity

The Report of the Commissioners, heretofore filed in this cause having been finally ratified and confirmed under the Commission, William J. Maffrey, late Sen and one of the executors of Josiah Maffrey, late of Queen Anne's County deceased has and she did appear in said Court on this 10th day of November eighteen hundred and sixty six and made a motion in writing to have the Real Estate in the proceedings in the cause mentioned and described called "Kinsey" with the lot of Neodiana being lying thereto, containing together, three hundred and ninety one acres of land at the valuation affixed thereto by the said Commissioners, to wit: the sum of two thousand seven hundred and seventy dollars, and the said William J. Maffrey having in like manner declined to take the residue of said Real Estate at the valuation affixed thereto by the Commissioners; and the remaining children and heirs at law of the said Josiah Maffrey being under the age of twenty one years; and the said William J. Maffrey and Mary Jane Maffrey, widow of said Josiah Maffrey having signified their consent in writing to the sale of the residue of said Real Estate upon such terms as to this Court may seem proper. It is thereupon this 10th day of November eighteen hundred and sixty six by the Circuit Court for Queen Anne's County sitting in Equity and by the authority adjudged, ordered and directed that the said William J. Maffrey shall bring into this Court where with to defray the expenses of this suit to be taxed by the Clerk of this Court to cover the costs up to this term the sum of Two hundred dollars and that he shall execute bond to the State of Maryland, to be executed by himself and two or more securities to be approved of agreeably to law and in the penalty of twenty two thousand dollars, conditioned for the payment to the remaining heirs at law of the said Josiah Maffrey of their respective proportions of the aforesaid sum of Eleven thousand seven hundred and thirty dollars less their proportion of the aforesaid sum of Two hundred dollars, said sums to be paid to them as follows; to the Male Heirs at law of the said Josiah Maffrey deceased as they shall severally arrive at the age of twenty one years, and to the female Heirs at Law as they shall severally arrive at the age of eighteen years, and the interest thereon to be paid annually from this date to their respective Guardians until they shall arrive at the above specified ages. It is furthermore ordered, adjudged and directed that the residue of said Real Estate, be sold and that John B. Brown of Queen Anne's County, in the State of Maryland be and he hereby is appointed Trustee to make sale of said Real Estate and that the course and manner of his proceedings shall be as follows; He shall first file with the Clerk of this Court, a bond to the State of Maryland, executed by himself with a surety or sureties to be approved agreeably to law in the penalty

of six thousand dollars, conditioned for the faithful performance of the trust reposed in him by this decree, or that may be reposed in him by any future order or decree in the premises. He shall therefore proceed to make sale of said Real Estate, having first given at least three weeks previous notice of the time, place, manner and terms of Sale by advertisement in some Newspaper printed in Queen Anne's County, and such other notices as he may deem expedient, which terms shall be as follows, Five hundred dollars in cash on the day of Sale and the residuum in three equal instalments of six, twelve and eighteen months from day of said sale, with interest on the whole as cash instalment shall fall due, secured by the bonds or notes of the purchaser or purchasers with security to be approved by the said Trustee - as the said Trustee may receive the whole or a larger proportion than five hundred dollars in cash

And as soon as may be convenient after any such sale or sales, the said Trustee shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof, and of the fairness of such sale or sales annexed, - And on the ratification of such sale or sales by this Court and on the payment of the whole purchase money (and not before) the said Trustee, by a good and sufficient deed, to be executed and acknowledged agreeably to law, shall convey to the purchaser or purchasers of said property, and to his, her or their heirs the property to him her or them sold, free clear and discharged of all claims of the parties to this cause or of any person or persons claiming by, from or under them, And the said Trustee shall bring into this Court the monies arising on any such sale or sales, and the bonds and notes that may be taken for same, to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit, and such Commission to said Trustee as this Court shall think proper to allow, in consideration of the skill, fidelity and attention wherewith he shall appear to have discharged his Trust.

Jno. M. Robinson

And on the twenty seventh day of November in the year last aforesaid, the said William F. Maffey, in compliance with the order of said Court files in Court here, his bond to the State of Maryland, with the endorsement thereon as follows, to wit:

Know all men by these presents that we William F. Maffey and John H. Evans George O. Frenchard and John W. Elliott of Queen Anne's County in the State aforesaid are held and firmly bound unto the said State of Maryland in the full and just sum of Twenty Six Thousand Dollars current money to be paid to the said State or to its certain Attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, sealed with our seals and dated this Nineteenth day of November Eighteen hundred and sixty six.

Whereas the above bound William F. Maffey appeared in the Circuit Court for Queen Anne's County sitting in Equity in open Court on the Eighteenth day of November Eighteen hundred and sixty six and elected to take the Real Estate of the late Joshua Maffey of Queen Anne's County deceased called "Winsley" with the Woodland belonging thereto containing together three Hundred and ninety one acres of land at the valuation affixed thereto by the Commissioners in said cause, to wit The sum of Eleven Thousand seven hundred and thirty dollars, And whereas the said Circuit Court thereupon passed an order directing the said William F. Maffey to bring into Court the sum of Two Hundred dollars to be applied to the payment of the costs of said Suit to be taxed by the Clerk of said Court, and to give his Bond to the State of Maryland executed by himself with two or

The order of the Court of the 4th January 1866 after deducting from the whole amount said W^m J. Massey is directed to pay John B. Brown, said W^m J. Massey's proportional part thereof is the sum of \$135.66 and the said order said amount is to be credited to said bond as of 24th December 1866 thus reducing the share of each heir secured by said bond by the sum of \$222.61 to be applied thereto as a credit as of the 24th December 1866.

By Order of Court
Wm. J. Massey, Clerk

And on the thirty first day of December in the year Eighteen hundred and sixty six, the following agreement was filed, as follows, to wit:

One State of Maryland Queen Anne's County to wit:
To John B. Brown, Esq. Trustee for the sale of certain real estate in Queen Anne's County belonging to the heirs of the late Josiah Massey dec'd and Decreed to be sold, on application of William J. Massey.

You are hereby authorized and empowered to sell the House and lot of land in Sandtown in Queen Anne's County belonging to the heirs of the late Josiah Massey dec'd and now advertised by you, clear and disincumbered of any dower and I agree to take such proportion of the purchase money as the Court may allow, and to execute any other instrument to carry out and complete the said sale and release of Power.

December 21, 1866 Mary Jane Massey

And on the thirteenth day of February in the year Eighteen hundred and sixty seven, John B. Brown, the Trustee named in said decree, filed the following Bond with the endorsement thereon, to wit:

Know all men by these presents that we, John B. Brown, Galle E. Bryan, William J. Parrott and George M. Smith of Queen Anne's County in the state of Maryland are held and firmly bound unto the State of Maryland in the full and just sum of Six Thousand dollars current money to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our heirs, executors and administrators, jointly and severally firmly by these presents sealed with our seals and dated this ___ day of December in the year Eighteen hundred and sixty six.

Whereas by a decree of the Circuit Court for Queen Anne's County in Equity, bearing date on the sixteenth day of November in the year Eighteen hundred and sixty six and passed in a cause in said Court wherein William J. Massey is Complainant and Mary Jane Massey and others are Defendants, the above bound John B. Brown has been appointed Trustee to make sale of certain Real Estate in the proceedings mentioned.

Now the condition of the above obligation is such, that if the above bound John B. Brown do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future order or decree in the premises, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of
James H. Corbin

John B. Brown Seal
Galle E. Bryan Seal
W. J. Parrott Seal
George M. Smith Seal

Trustee's Bond approved and filed February 13, 1867
Samuel E. Hunt, Clerk
And on the day and year last aforesaid, the said John B. Brown, the Trustee

tee, made the following report of Sale, to wit:

Master

vs

Master

In the Circuit Court for Queen Anne's County
In Equity

To the Honorable, John M. Robinson Judge of the Circuit Court for Queen Anne's County in Equity.

The Report of John B. Brown, appointed by the Decree in this Cause, to make sale of Certain Real Estate therein mentioned, shows, that after giving notice of the time, place, manner and terms of sale by advertisement in the Centreville Observer, a Newspaper printed in the town of Centreville, Queen Anne's County, and Sunday other Newspapers published in the State of Maryland, and by hand bills extensively circulated throughout said State and adjoining States, for more than three successive weeks before the day of sale, he did pursuant to said notice attend in front of the Storehouse of Messrs. Pratts & Co., at Church Hill in Queen Anne's County aforesaid on Saturday the fifth day of January Eighteen hundred and sixty seven, between the hours of One and Three O'clock P. M., and then and there proceeded to sell said Real Estate as follows to wit:

Your Trustee in the first place offered at public sale to the highest bidder all that farm or plantation described among the proceedings in the Cause and called "Bradford" and "Elliot's Addition", containing One hundred and sixty three acres and sixteen perches of land and sold the same to William Elliott and James R. Burris of Queen Anne's County aforesaid, they being then and there the highest bidders therefor, at and for the sum of Twenty one dollars and eighty seven and a half cents per acre or the aggregate sum of Three thousand five hundred and sixty seven dollars and eighty cents, and having received and satisfactorily secured the the Cash Sum of Five hundred dollars from them took their Bond with J. R. Elliott as security therefor in the sum of Three Thousand and sixty seven dollars and eighty cents being the residue or credit portion of purchase money payable (with interest on the whole principal from day of sale as each installment shall become due) in three equal installments of six twelve and eighteen months from day of sale - said land sold free of down interest of Mary Jane Massey therein and subject to the tenancy thereof for this present year the purchasers to receive the rents.

Your Trustee then offered in like manner the lot of land situate in Sandtown described among the proceedings in the Cause and sold same to John S. Walters of said County, he being then and there the highest bidder therefor at and for the sum of Sixty eight dollars, and received from him the Cash sum of Eleven Dollars and took his bond on the same terms and conditions as in the preceding case with J. H. Knock as security therefor - this lot being sold free of down interest of Mary Jane Massey therein.

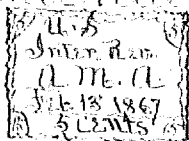
All which is respectfully submitted.

John B. Brown
Trustee

Queen Anne's County to wit:

On this 13th day of February 1867, personally appeared before me, the subscriber, a Justice of the Peace of the State of Maryland in and for Queen Anne's County, John B. Brown, Trustee, and made oath that the matters and things stated in the foregoing report are true to the best of his knowledge and belief and that the same therein reported were truly and fairly made.

A. M. Croft J.P.



Upon which, the following order was passed, to wit:

Massey
vs
Massey

In C. C. Q. A. Co.
In Equity
January Term 1867.

Ordered that the sales made reported by John B. Brown Trustee for the sale of the Real Estate of Josiah Massey late of Q. A. Co. deceased be ratified and confirmed, unless cause to the contrary be shown on or before the first Tuesday in May next; provided a copy of this order be inserted in some newspaper printed in Queen Anne's County once in each of three successive weeks before the first Tuesday in April next. Report states amount of sale to be \$3633.80.

The creditors of Josiah Massey decd are hereby notified to file their claims with the vouchers thereof in the Clerk's Office for Queen Anne's County within four months from date hereof

Feb 13, 1867.

Samuel C. Dyett Clerk

And afterwards, to wit, on the twenty third day of May in the year last aforesaid, the Court here pass the following order, to wit:

In the Circuit Court for Queen Anne's County
In Equity May Term 1867

Ordered that the sales within reported be and the same are hereby ratified and confirmed, no cause to the contrary thereof having been shown although notice appears to have been given as directed by the preceding order. The Auditor will allow said Trustee the usual costs and commissions 23rd May 1867

Jno. M. Robinson

And on the seventeenth day of June in the year last aforesaid, the following affidavit was filed, to wit:

The State of Maryland, Queen Anne's County to wit:

Be it remembered, that on this 13th day of June in the year eighteen hundred and sixty seven personally appeared Jane K. Kirby of Queen Anne's County in the State of Maryland, before me the subscriber a Justice of the Peace of the State of Maryland in and for Queen Anne's County, and made oath on the Holy Evangelist of Almighty God, that she is acquainted with Mrs Mary Jane Massey widow of the late Josiah Massey, and formerly Mary Jane Kirby, and has known her for many years, that she is between forty and forty one years of age, and in ordinary health.


Sworn before Ja^{sd} P. Ruth J.P.

And on the eighteenth day of June in the year last aforesaid, the following agreement and assignment was filed, as follows, to wit:

Whereas on the 18th April 1866, I, Mary Jane Massey have given my note or single bill to George Vickers (Executor of Josiah Massey decd) for Two hundred and thirty four dollars and twelve cents (of which Three hundred and ninety three dollars and twenty nine cents, is for amount purchased at Vendue of Josiah Massey decd, and interest thereon) and one hundred and forty dollars and eighty three cents is for money this day advanced by G. Vickers to me to enable me to pay some debts I owe and to enable me to remove from Chester-Town) And whereas William F. Massey has applied to the Equity side of the Circuit Court of Queen Anne's County for a division or sale of the real estate of my deceased husband, Josiah Massey; and whereas I have or will consent to a sale of the small farm called the Beck farm, and to take a proportion of the purchase money in lieu of my dower in the same: In order to secure the said George Vickers for the amount of said Note on which a

Judgment is to be confessed, I hereby assign and transfer to said George Vickers, as much of my interest in the proceeds of sale, of said land, as will pay the said note or single bill and judgment thereon - And I hereby request the Auditor in Q. Anne's Circuit Court to audit as much of my interest to said G. Vickers as will pay him the amount of said Note and interest. Witness my hand and seal this 18th April 1866

Witness

Mary Jane Massey 

John O. Slay

And on the twelfth day of July in the year last aforesaid, John H. Evans, preferred a petition to the said Court, in the following words, to wit:

Massey

vs
Massey

In the C. C. Q. A. Co. in Equity

To the Hon. John M. Robinson, Judge of the Circuit Court for Queen Anne's County in Equity.

The petition of John H. Evans of Queen Anne's County, State of Maryland, in behalf of himself and any other remaining creditors of Josiah Massey late of Queen Anne's County deceased, to your Honor respectfully sets forth that the personal estate of said Josiah Massey has been finally settled and adjudicated, & therefore prays your Honor to pass an order referring the papers in this cause to the Auditor to state an account between your Petitioner and any such remaining creditors of said Josiah Massey and the funds arising or to arise from the sales of the Real Estate heretofore reported by John B. Brown, Trustee in this Cause

John B. Brown Solicitor
for John H. Evans

Which said petition being read and considered, the Court pass the following order, to wit:

Ordered on the foregoing petition of John H. Evans in behalf of himself & other creditors of Josiah Massey late of Queen Anne's County deceased, on this 11 July 1867 that the papers in this cause be referred to the Auditor and the Auditor is ordered and directed to state an account between the said petitioner and any remaining creditors of the late Josiah Massey and the funds arising and to arise from the sales of the real Estate heretofore reported by John B. Brown, Trustee in this Cause.

Jas. M. Robinson

And on the thirtieth day of November in the year last aforesaid, Philemon B. Hopper, Esquire, the Auditor of said Court, files the following report and Audit, to wit:

Massey

vs
Massey

In C. C. Court for Queen Anne Co.
Sitting as a Court of Equity

To the Hon. J. M. Robinson Judge

The Auditor has examined the proceedings in this cause and has therefrom prepared the following acct between the real estate in the proceedings mentioned and J. B. Brown Trustee for the sale thereof, in which he has allowed to the Trustee his Commissions and expenses and to the Complainants and Defendants each their costs of suit, and to the Auditor his fee. He ascertained the widows Power's interest in the residue of the purchase money and assigned the same to her. The balance he allotted

to the claims of Jno. H. Evans one in his own right and one assigned, which were the only claims filed.

P. B. Nopper, Auditor
Nov. 2^d 1867

Dr. The Real Estate of Josiah Massey dec'd in acct. with John B. Brown Trustee for the sale thereof Cr.

To the Trustee for his Commissions			190	43
To the Trustee for his expenses			70	11
To the Complainants for costs of suit before decree viz.				
Solicitor as per order of Court	50	00		
Samuel E. Dyett Clerk	36	65		
W ^m J. Ford Sheriff		90		
S. M. Galet Sheriff	2	70		
Jno. G. Watson Comm ^r to assign guardian	4	00		
Jesse K. Hines " " " "	4	00		
Stamp on writ		50		
Costs to Commissioners, surveyor & chain carriers } as per bill of Sale filed }	88	15	186	90
To the Defendants for costs before decree viz.				
Solicitor	10	00		
S. E. Dyett Clerk	3	90	13	90
To the Complainants for costs since decree viz.				
S. E. Dyett Clerk	3	60		
Same for further probable costs	8	00	11	60
To the Defendants for costs of suit since decree viz.				
S. E. Dyett Clerk	2	00		
Same for further probable costs	1	50	3	50
To the Auditor for his fee			4	50
			489	94
To Mary Jane Massey for her dower int ^y			470	00
To John H. Evans to be credited on his claim against Josiah Massey and claim of P. B. Nopper vs Josiah Massey assigned him in equal ratio	2875	86	2875	86
			3835	80
By amount of proceeds of sale of real Estate as per Trustee's report of sales }			3635	80
By amount of Cash deposited in Court			200	00
			3835	80

And on the day and year last aforesaid, the Court pass the following order to wit:

In the Circuit Court for Queen Anne's County in Equity November 30th 1867
Ordered that the foregoing report of the Auditor be and the same is hereby ratified and confirmed, and the Trustee is directed to apply proceeds accordingly, with a due proportion of interest on the allowance to Mary Jane Massey and the claims, as

said proceeds and interest has been or may be received.

John M. Robinson

And afterwards, to wit, on the fourth day of January in the year Eighteen hundred and sixty eight, John H. Evans presented to the Court here, a petition in the following words, to wit:

Josiah Massey decd

To John H. Evans

Dr

To amt of lien on "Kemperly"
" " of Assmt from P. B. Hepper

\$4721.44

11.80

\$4733.24

Jut from 11 July 1867 to 29 Aug 1867

37.86

\$4771.14

Cash then paid by John B. Brown, Trustee

700.00

\$4071.14

Jut from 29 Aug 1867 to 19 Nov 1867

54.27

\$4125.41

Cash then paid by John B. Brown, Trustee

1503.08

\$2622.33

Jut from 19 Nov 1867 to 24 Dec 1867

15.29

\$2637.62

Cash then paid by John B. Brown, Trustee

799.35

1838.27

Massey
vs
Massey

In the Circuit Court for Queen Anne's County
In Equity

To the Honorable John M. Robinson Judge of the Circuit Court for Queen Anne's County in Equity.

The Petition of John H. Evans to your Honor respectfully sets forth that as will appear by the proceedings in this cause and the above statement of account between your Petitioner and the estate of the late Josiah Massey there is due your Petitioner on account of the purchase money for "Kemperly" sold by your Petitioner to said Josiah Massey, after the application of the money audited to your petitioner in this cause and paid him by John B. Brown, Trustee, as per above statement, the sum of \$1838.27 and interest thereon from the 24 December 1867. Your Petitioner sets forth that as will appear by the proceedings in this cause William J. Massey, has elected to take said Kemperly at a valuation and has given his bond therefor, which has been approved by your Honor and filed in the cause, that the amount of said valuation is subject to be diminished by the above sum which is a lien and charge in said Kemperly. Your Petitioner prays your Honor to pass an order directing and empowering said William J. Massey to pay to your Petitioner in compliance with the terms of the contract of sale made with said Josiah Massey, the above sum of \$1838.27 and interest thereon from the 24 December, 1867, and furthermore ordering and directing the Clerk of this Court, after deducting from said sum of \$1838.27, the proportion thereof properly due from said William J. Massey as one of the Heirs at Law of Josiah Massey, to endorse the residue thereof upon the aforesaid bond of the said William J. Massey as a credit thereon of the 24 December 1867, thereby diminishing the amount of the said sum due the other Heirs at Law of said Josiah Massey by their respective proportions of said Charge or lien. And as in duty bound &c

John B. Brown
Solicitor for John H. Evans

The above statement is correct and the said William F. Massey consents to the granting of the prayer of said petition.

John B. Brown, Trustee
& Solicitor for W^m F. Massey

Which said petition being read and by the Court here considered, thereupon the said Court pass the following order, to wit:

Ordered on this 4th day of January 1868 in the aforegoing petition of John H. Evans and the certificate thereto of John B. Brown Trustee in the cause and Solicitor for William F. Massey, that William F. Massey be and he is hereby directed and empowered to pay to said John H. Evans in pursuance of the terms of the Contract between said John H. Evans and the late Josiah Massey filed in the cause the sum of \$1838.27 and interest thereon from the 24th December 1867 - And that the Clerk of this Court be and he hereby is empowered, after deducting from said sum of \$1838.27, the proportion thereof properly chargeable to the said William F. Massey, to endorse the residue thereof as of the 24th December 1867 as a credit on the bond of said William F. Massey filed in this cause, thereby diminishing the several sums secured to the other Heirs at Law of said Josiah Massey by said Bond, by their respective proportions of said residue. And it is further adjudged and ordered that said sum of \$1838.27 & interest thereon as aforesaid be and remain a lien on said Kennerly until paid or released or discharged.

Jno. M. Robinson

4 Jan'y 1868

And on the day and year last aforesaid, the clerk of the Circuit Court for Queen Anne's County, agreeably to the order of the said Court endorses a credit on the bond of the said William F. Massey, which will be found annexed to said Bond, and recorded on folio 203 of this Record.

William Darmon

vs.
Elizabeth B. Thomson, Anna
W. Shoemaker, Samuel M. Shoemaker, Isaac Thomson, Gannet C. Thomson, Margaret Thomson, Beulah C. Thomson, Mary C. Thomson, Smith Thomson, Ida Thomson, Clayton S. Thomson, Maurice Helen Jr and John H. Thomson

Son, Gannet C. Thomson, Margaret Thomson, Beulah C. Thomson, Mary C. Thomson, Smith Thomson, Ida Thomson Clayton S. Thomson, Maurice Helen Jr and John H. Thomson, in the following words to wit

To the Honorable, the Circuit Court for Queen Annes County as a Court of Equity

The Bill of Complaint of William Darmon, of Queen Annes County, humbly shows, that heretofore to wit: in the fall of the year Eighteen hundred and fifty nine, your Orator and a certain Isaac L. Thomson, formed a partnership under the name and style of Darmon & Thomson, for the purpose of cutting wood and timber, and conducting a general lumber business in or near the Village of Loxumpton in said County; that your orator and the said Isaac L. Thomson were to share equally the profits, and to bear in equal proportions the expenses of purchasing property, and conducting the business - that for the purpose of said partnership, and as partners, they purchased several tracts of land in said County, valuable for the wood and timber growing thereon, and as building lots, in and near the aforesaid village, of Loxumpton - that the said partnership continued, until the death of the said Isaac L. Thomson which occurred on or about the 7th day of January last, when it was dissolved by the death of the said Isaac L. Thomson.

Your Orator further shows, that during the existence of the aforesaid partnership, your Orator and the said Isaac L. Thomson, as partners purchased several tracts of land lying in said County as aforesaid namely a tract of land containing a half acre more or less, conveyed to them by one John H. Thomson, by deed bearing date the 8th November 1860; also a tract of land conveyed to them by Ezekiel S. Chambers Trustee, by deed bearing date the 7th November 1863, the number of acres not accurately known; also a tract of land containing six acres and a half more or less, conveyed to them by Richard Sparks and Margaret E. Sparks his wife, by deed bearing date the 25th June 1864; all of which deeds were duly executed, and are recorded among the Land Records of Queen Annes County, and certified copies of which deeds, are herewith filed and marked respectively Exhibits 'A', 'B', & 'C', which your Orator prays, may with all others exhibits be taken as part of this Bill of Complaint. Your Orator further represents, that your Orator and the said Isaac L. Thomson, as partners, purchased other tracts of land which were conveyed to them, which they subsequently conveyed by deed of Mortgage, to a certain Eugene Post to secure to him the payment of six thousand dollars and also conveyed the same lands by deed of Mortgage, to Joseph C. Shephard and Maurice Helen Jr to secure to

Be it remembered, that on the seventh day of April in the year eighteen hundred and sixty five William Darmon, by Joseph A. Nickles, Esquire, his Solicitor, filed in the Circuit Court for Queen Annes County, sitting as a Court of Equity, his Bill of Complaint against the said Elizabeth B. Thomson, Anna W. Shoemaker, Samuel M. Shoemaker, Isaac Thom-

them the payment of two thousand and five hundred dollars: which mortgage debts are still unpaid - that the said Joseph L. Sheppard and Maurice Welch Jr. have filed in your honorable court, a Bill of Complaint, to procure a decree for the sale of the land thus mortgaged to them, which is now pending in your honorable court; which said tracts of land are fully described by the aforesaid Bill of Complaint, and exhibits therewith filed, to which your Orator replies, and says, that they may be taken as a part of this his bill.

Your orator further shows, that your Orator and the said Isaac L. Thomson, after purchasing several of the aforesaid tracts of land, expended large sums of money, in erecting on said land a Steam Saw mill, and other machinery, and in buildings and other improvements, which were required to enable them to conduct the lumber business: and that the said Isaac L. Thomson not be able to pay his proportion of the money, which was one half, required for the purchase of the several tracts of land, to purchase machinery, erect buildings and defray the general and ordinary expenses of the partnership business. Your Orator advanced and paid for such purposes a considerable amount over and above his proportion, and that the said Isaac L. Thomson, did, during the continuance of the partnership draw from the partnership profits and funds for his own use, a much larger sum than your Orator; all of which will more fully appear by an account herewith filed marked "Exhibit D" which will show the amount due to your Orator, at the time of the death of the said Isaac L. Thomson. Your Orator further represents, that the said Isaac L. Thomson departed this life, on or about the 7th January in the year 1865; intestate, leaving a widow, Elizabeth B. Thomson and Anna W. Shoemaker who is intermarried with Samuel M. Shoemaker of the State of New Jersey, Isaac Thomson, Garret L. Thomson, Margaret Thomson, Beulah L. Thomson, Mary L. Thomson, Smith Thomson, Iida Thomson and Clayton S. Thomson, his children and heirs at law, of whom the said Isaac Thomson, Garret L. Thomson, Margaret Thomson, Beulah L. Thomson, Mary L. Thomson, Smith Thomson, Iida Thomson and Clayton S. Thomson are infants under the age of twenty one years.

And your Orator further charges that administration of all and singular the personal estate of the said Isaac L. Thomson has been lawfully granted by the Orphans Court of Queen Annes County, unto Maurice Welch Jr. of said County, and John H. Thomson of the State of New Jersey, who in virtue thereof have possessed themselves of the said personal estate: and your Orator is advised that the said Maurice Welch Jr. and John H. Thomson administrators as aforesaid, should be made parties to this his Bill of Complaint.

Your Orator also represents, that at the time of the death of the said Isaac L. Thomson, there was some personal property belonging to the partnership - that your Orator as surviving partner, has with the consent and approbation of the said Maurice Welch Jr. and John H. Thomson Administrators as aforesaid, sold at public sale a considerable portion of said personal property; the sales amounting to \$1069.36, the expenses thereof yet to be deducted: and that he intends to sell the residue thereof, whenever he can obtain a fair and reasonable price for the same. that your Orator as surviving partner is proceeding with diligence, to collect the debts due said partnership, and with the money arising from the sale of the personal property, and debts thus

collected, to pay the debts of said partnership, but that said personal property and assets will be insufficient as your Orator believes to pay the partnership debts; and that your Orator is ready and willing at any time to submit to this Court, on account of all sums which he has or may collect or receive, and of all debts paid by him as such surviving partner. Your Orator further represents, that he is advised, that said Real Estate, thus conveyed to your Orator and the said Isaac S. Thomson and which is not included in the aforesaid mortgages, cannot be sold, except by the interposition of your honorable Court, but that in accordance with the principles of Equity this Court will decree the same to be sold, and the proceeds thereof to be applied to the payment of the partnership debts should any remain unpaid; after applying the personal property to the payment thereof; and to the payment of all sums due to your Orator, for money advanced by him, for the use of the said partnership, in the purchase of property, making improvements, and carrying on the business of said firm, and also all sums of money withdrawn by the said Isaac S. Thomson from said partnership over and above his proper share therein and that the residue thereof, will be distributed among the parties to this suit, according to their respective interests.

To the end therefore, that the said Elizabeth B. Thomson, Anna W. Shoemaker, Samuel M. Shoemaker, Isaac Thomson, Garrett C. Thomson, Margaret Thomson, Beulah C. Thomson, Mary C. Thomson, Smith Thomson, Ida Thomson, Clayton S. Thomson, Maurice Welch Jr. and John H. Thomson, may answer the several matters and things hereinafter stated, as fully and particularly as if they were herein again repeated and they were thereunto specially interrogated; and that an account may be taken under the direction of this Court, of the debts due and owing by said partnership, after the application of the personal property and assets to the payments thereof; and if the debts which were owing from the said Isaac S. Thomson, at the time of his death, to the said partnership, and of the debts due to your Orator from said partnership, and that the aforesaid real estate may be decreed to be sold for the payment of so much of the aforesaid partnership debts, as may remain unsatisfied by the application of the partnership's personal property and assets, and for the payment of the debts due from the said Isaac S. Thomson to the aforesaid partnership; and for the payment of the debts due to your Orator from said partnership, according to the principles of Equity in such cases; and for distribution among the parties in proportion to their respective interests; and that your Orator may have such further or other relief as his case may require. May it please your Honor to grant unto your Orator an order of publication, giving notice to the said Samuel M. Shoemaker, Anna W. Shoemaker and John H. Thomson, who are non residents, as before stated, of the substance and object of this bill, and warning them to appear in this Court, in person or by Solicitor on or before a certain day, to answer the premises, and show cause if any they have, why a decree ought not to pass as prayed; and also a writ of Subpoena against the said Elizabeth B. Thomson, Isaac Thomson, Garrett C. Thomson, Margaret Thomson, Beulah C. Thomson, Mary C. Thomson, Smith Thomson, Ida Thomson, Clayton S. Thomson, and Maurice Welch Jr. of Queen Anne's County, commanding them to appear in this Court, at some certain day, to be therein named, to answer the premises, and

Station	Bearings	Distances
1	S 21° 45' W	1458.152
2	S 57° 45' E	1111.5 "
3	S 70° 30' W	77 "
4	S 35° 0' E	45 "
5	S 24° 0' W	279 "
6	N 11° 45' W	96 "
7	S 63° 0' 45' W	145 "
8	N 10° 15' E	82 "
9	S 85° 0' 15' E	1113 "
10	N 10° 45' E	75 "
11	S 59° 30' E	2 "
12	N 0° 30' E	131 "
13	S 78° 0' 15' E	50 "
14	S 0° 30' W	59 "
15	S 15° 0' 15' E	74 "

Table of Courses
Original purchase
Cedar Tree

Station	Bearings	Distances
1	S 21° W	89
2	N 80° E	83 " 132
3	N 67° 30' E	11 "
4	N 50° 30' E	48 "
5	N 72° E	72 " 21 "
6	N 7° W	69 " 10 "
7	N 83° 30' W	125 "
8	S 21° W	161 "

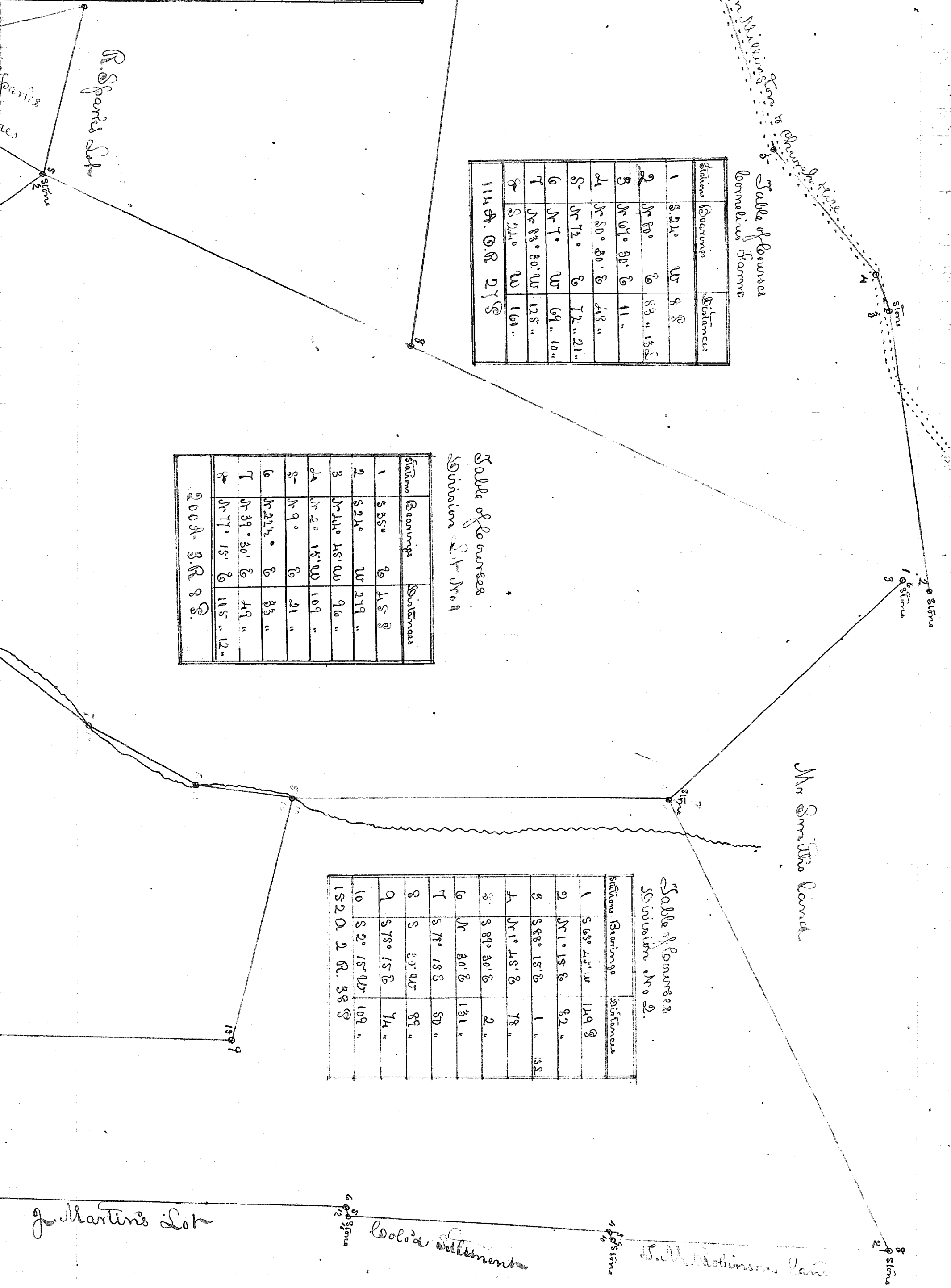
Table of Courses
Lorelius Farm

Station	Bearings	Distances
1	S 35° E	45 E
2	S 24° W	279 "
3	N 24° 45' W	96 "
4	N 20° 15' W	109 "
5	N 9° E	21 "
6	N 22 1/2° E	33 "
7	N 39° 30' E	49 "
8	N 77° 15' E	115 " 12 "

Table of Courses
Division No 1

Station	Bearings	Distances
1	S 63° 45' W	149 E
2	N 1° 15' E	82 "
3	S 88° 15' E	1 " 132
4	N 1° 45' E	78 "
5	S 89° 30' E	2 "
6	N 30° E	131 "
7	S 78° 15' E	50 "
8	S 37° W	89 "
9	S 75° 15' E	74 "
10	S 2° 15' W	109 "

Table of Courses
Division No 2



R. Sparks Lot

Mr Smiths land

J. Martins Lot

C. M. Robinsons land

C. M. Robinsons land

Road from Millington to Church Hill

Cedar Tree

Station 1	Jr 31° 30' E	24"
2	Jr 54° 0' W	26.13"
3	Jr 11° 45' E	20"
4	S 77° 30' E	9.13"
5	Jr 14° 0' E	88"
6	S 31° 15' E	156"
7	Jr 65° 45' E	87.13"
8	Jr 70° 30' E	98"
9	S 31° 15' E	2"
10	S 95° 30' E	21.5"

Station Bearings	Distances
1	Jr 65° 45' E 27.13"
2	Jr 11° 30' E 93"
3	S 31° 15' E 2"
4	S 21° 15' W 125.13"
5	S 12° 45' E 11.13"
6	S 70° 30' W 77"
7	S 77° 15' W 115.12"
8	Jr 85° 0' W 36.12"
9	Jr 11° 45' E 100"
10	Jr 65° 15' E 25"
11	Jr 65° 30' E 120"

Station Bearings	Distances
1	Jr 11° 45' E 100 8
2	S 77° 30' E 9.13 2
3	Jr 11° 0' E 88 "
4	S 31° 15' E 156 "
5	S 65° 30' E 120 "
6	S 69° 15' E 25 "

John Cosdens land

Plot of Saw Lots and Steam Saw Mills

Shaw's land

Nathan Chens land

Shoop & Johnson's land

Erumpston Id.

Settled by J. Howell

Scale 25' per inch to the inch
Variation 2° 15' West



abide by and perform such decree as may be passed therein, and as in duty he

J. A. Nickles
Solicitor for complainant

The Exhibits 'A', 'B', 'C' and 'E' referred to in the foregoing Bill of Complaint are as follows to wit:


Queen Annes County to wit: Be it remembered, that on this the third day of April in the year of our Lord one thousand eight hundred and sixty five the following deed was brought to be recorded, to wit:

This deed made this eighth day of November in the year one thousand eight hundred and sixty by John H. Thomson of Paulboro in Gloucester County in the State of New Jersey: Witnesseth that in consideration of the sum of Twenty dollars the said John H. Thomson, does hereby grant unto William Darnon and Isaac L. Thomson known as the firm and doing business under the name of Darnon & Thomson, all that tract of land situated in Queen Annes County and described as follows, viz: Beginning on the South Side of Front St 1250 feet west of Market St. and running thence North thirty two and a quarter degrees West 16 perches, thence South thirty nine degrees West six perches thence South thirty two and a quarter degrees East fifteen perches thence South North fifty seven and three quarter degrees East 5 3/4 perches to the place of beginning, containing one half acre of land, be the same more or less, in fee simple and the said John H. Thomson doth hereby warrant the said property generally and specially and that that the said Darnon & Thomson shall quietly enjoy the same and that he the said John H. Thomson will execute such further assurances as may be requisite.

Test: H. A. Forman

Witness my hand and Seal

Henry Loden

John H. Thomson 

State of Maryland, Queen Annes County, ss.

I hereby, that this eighth day of November in the year one thousand eight hundred and sixty, before the subscriber a Justice of the Peace in and for said County personally appeared John H. Thomson and acknowledged the foregoing deed to be his act.

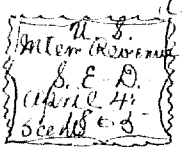
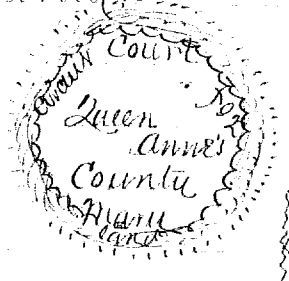
Acknowledged before Henry A. Forman J.P.

State of Maryland, Queen Annes County to wit:

I hereby certify that the foregoing is a true copy taken from Liber S. E. D. No 1, folio 484, one of the Record Books of Queen Annes County.

In testimony whereof, I hereunto subscribe my name and affix the Seal of the Circuit Court for Queen Annes County, this 4th day of April A.D. 1865.

Saml. E. Lyett, Clerk




Queen Annes County to wit: Be it remembered that on the tenth day of November in the year of our Lord one thousand eight hundred and sixty three the following deed was brought to be recorded to wit:

This deed made this Seventh day of November in the year Eighteen hundred and sixty three by Ezekiel F. Chambers, Witnesseth that whereas by a decree of the Circuit Court for Kent County sitting as a Court of Equity, made and passed on the Second day of November in the year Eighteen hundred and sixty in a cause then there depending between Jesse Morris and Catharine Cornelius Complain

United States
Two dollars
Maryland
E. D.
1863
Mt. New

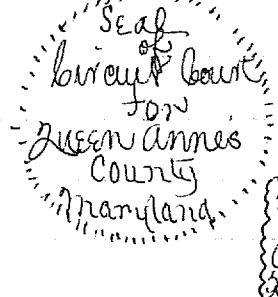
ants and Andrew Cornelius and others Defendants, the late James Alfred Pearce was appointed Trustee to sell the Real Estate of William Cornelius deceased, for the payment of his debts, and whereas the said Trustee in pursuance of said decree did on the twenty fourth day of December in the year Eighteen hundred and sixty sell to William Darmon the lands and premises hereinafter particularly described, being the Real Estate of which the above named William Cornelius died seized and possessed as will appear by the Report of said Trustee, and which sale has been duly ratified and confirmed by the said Court; and whereas the said William Darmon although reported as sole purchaser of said land was in fact acting as well for and on behalf of Isaac L. Thomson as for himself, they being equally interested in said purchase and having each paid one moiety or one half part of the purchase money: and whereas after the death of the above named Trustee, that is to say at the April term of said Circuit Court in the year Eighteen hundred and sixty three, the above named Grantor, Ezekiel S. Chambers was duly appointed Trustee to complete the trust vested in the former Trustee; and whereas the whole purchase money has been paid by the said William Darmon and Isaac L. Thomson, and the said Grantor is authorized to execute a deed for the land sold as aforesaid. Now this Indenture Witnesseth, that for and in consideration of the above recited Premises the said Ezekiel S. Chambers doth grant unto the said William Darmon and Isaac L. Thomson their heirs and assigns as tenants in common; all those tracts, parts of tracts or parcel of land, lying in the upper part of Queen Anne's County and on the north side, of the public road running from the Red Lyon Mills (heretofore called Chambers Mill now owned by William L. Godwin) to D. B. being the same land which was conveyed to Margaret Cornelius and William Cornelius by Andrew Cornelius and John C. Cornelius by deed bearing date the thirty first day of October Eighteen hundred and fifty four, and recorded amongst the land records of Queen Anne's County in Liber J. P. No 2, pages 385-386, and also the same land mentioned in the deed from the said Margaret Cornelius to the said William Cornelius bearing date the second day of October Eighteen hundred and fifty five, and recorded amongst the land records of Queen Anne's County in Liber J. P. No 2, pages 485-486, and the land whereof the said William Cornelius died seized and possessed, the same being called and known as "Guiders Lot" and "Comerqu's Exercise" or Range

Witness my hand and Seal
 E. S. Chambers 

The word "Land" in the 19th line of first page, and "of said Circuit Court" in the 24th line of same page, being first interlined
 Rich^d. Bth. Curmichael

State of Maryland, Queen Anne's County &c. I hereby certify that on this Seventh day of November eighteen hundred and sixty before the subscriber Judge of the Seventh Judicial District of the State of Maryland personally appeared the above named Ezekiel S. Chambers and acknowledged the foregoing deed to be his act
 Rich^d. Bth. Curmichael
 State of Maryland, Queen Anne's County to wit:
 I hereby certify that the above and foregoing is truly taken and copied

from Liber M. S. No 2, folios 455 & 456, one of the Land Record Books of Queen Anne's County.



In testimony whereof I hereto set my hand and affix the seal of the Circuit Court for Queen Anne's County this 14th day of April A. D. 1865.

Samuel E. Dyott, Clerk

Queen Anne's County to wit: Be it remembered that on the tenth day of November in the year of our Lord one thousand eight hundred and sixty four the following deed was brought to be recorded, to wit: This deed made this twenty fifth day of June in the year Eighteen hundred and sixty four, between Richard Sparks and Margaret E. Sparks his wife of Queen Anne's County in the State of Maryland of the one part, and William Darmon & Isaac D. Thomson of the County and State aforesaid of the other part, Witnesseth that for and in consideration of the sum of One hundred and twenty five dollars, the said Richard Sparks and wife doth grant unto the said Darmon and Thomson all that tract or part of a tract of land called and known by the name of Comegys Reserve, situated and being in said County and contained within the following metes and bounds courses and distances to wit: Beginning at the end of three hundred and thirty eight perches and three tenths of a perch in the second line of a tract of land called the Pearls, and from thence running with that line North twenty degrees and forty five minutes East fifty four perches and nine tenths of a perch, and thence South fourteen degrees and fifteen minutes East sixty six perches, and from thence by a straight line to the first place of beginning containing six acres and one half acre of land, more or less, together with the buildings thereunto attached, To have and to hold the above described premises, and every of their appurtenances unto the said Darmon & Thomson their heirs and assigns forever, the said Richard Sparks and wife covenants, that they will execute such further assurances as may be requisite.

Test: Edward L. Marvel

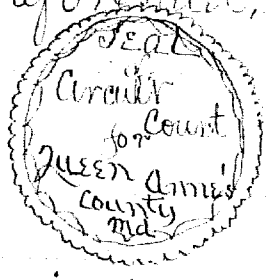
Witness our hands and seals the day and year within written

Richard Sparks
Margaret E. Sparks

State of Maryland, Queen Anne's County to wit: I hereby certify that on this twenty fifth day of June in the year Eighteen hundred and sixty four, before the subscriber a Justice of the Peace in and for said State and County personally appeared Richard Sparks and Margaret E. Sparks his wife, and did each acknowledge the foregoing deed to be their respective act.

Acknowledged before
E. L. Marvel J. P.

State of Maryland, Queen Anne's County to wit: I hereby certify that the foregoing is a true copy taken from the original from Liber S. E. R. No 1, folios 366 & 367, one of the Land Record Books for Queen Anne's County aforesaid.



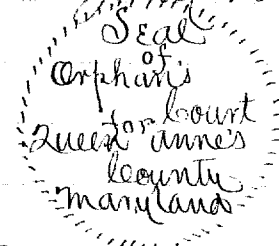
Witness my hand and seal this 4th day of February A. D. 1865.

In testimony whereof, I hereto subscribe my name, and affix the seal of the Circuit Court for Queen Anne's County this 4th day of February A. D. 1865.

Samuel E. Dyott, Clerk

Queen Anne's County, Md.

I do hereby certify to all whom it doth or may concern, that letters of Administration on the personal estate of Isaac L. Thomson, late of Queen Anne's County, deceased, were granted by the Orphans Court of said County, to John H. Thomson and Maurice Welch Jr. on the 31st of Jan^y 1865.



W. A. Johnson Reg. Wills
May 3rd 1865
5 cents

In testimony whereof, I have hereunto set my name, and affixed my Official Seal, this 30th day of May 1865
W. A. Johnson Reg. Wills

Whereupon a Subpoena was issued for the said Elizabeth B. Thomson Isaac Thomson, Garret L. Thomson, Margaret Thomson, Beulah L. Thomson, Mary L. Thomson, Smith Thomson, Ida Thomson, Clayton S. Thomson and Maurice Welch Jr. according to the prayer of the Complainant, and an order of Publication was also passed in the words following to wit:
William Darmon

vs
Elizabeth B. Thomson, Anna W. Shoemaker, Samuel M. Shoemaker, Isaac Thomson, Garret L. Thomson, Margaret Thomson, Beulah L. Thomson, Mary L. Thomson, Smith Thomson, Ida Thomson, Clayton S. Thomson, Maurice Welch Jr. & John H. Thomson

In the Circuit Court for Queen Anne's County
Sitting in Equity

The object of this suit is to procure a decree for the sale of certain real estate, in Queen Anne's County, of which the Complainant and Isaac L. Thomson, now deceased, were seized in fee.

The Bill states that the Complainant and Isaac L. Thomson were partners in trade, engaged in the lumber business, and that as partners they purchased the said real estate, which is particularly described, in the bill of Complaint; and erected buildings and other improvements thereon; that the partnership is indebted to the Complainant, for advances made by him for these purposes, and for paying the expenses incurred in the prosecution of the partnership business; and for sums drawn by the said Isaac L. Thomson from the partnership funds and profits; more than his proportion - That the said Isaac L. Thomson, departed this life on or about the 7th day of January last, intestate, leaving a widow Elizabeth B. Thomson, and Anna W. Shoemaker, who is intermarried with Samuel M. Shoemaker of the State of New Jersey, Isaac Thomson, Garret L. Thomson, Margaret Thomson, Beulah L. Thomson, Mary L. Thomson, Smith Thomson, Ida Thomson, and Clayton S. Thomson, his children and heirs at law; and that all of said children except Anna W. Shoemaker, are infants under the age of twenty one years. - That letters of Administration on the personal estate of the said Isaac L. Thomson have been granted by the Orphans Court of Queen Anne's County, to Maurice Welch Jr. of said County, and John H. Thomson of New Jersey; and that the said Samuel M. Shoemaker, Anna W. Shoemaker and John H. Thomson reside out of the State of Maryland.

The Bill also states that the Complainant, as surviving partner, is

proceeding to sell the partnership personal property, and to collect the debts due the firm, and to pay all the partnership debts, but that the personal property and assets are insufficient to pay the debts of the partnership. The Bill prays that a decree may be passed for the sale of said real estate to pay the residue of said debts, and to settle the claims of each partner on the partnership property, and for distributing among the parties according to their respective interests. It is thereupon adjudged and ordered, that the complainant, by carrying a copy of this order, to be inserted in some newspaper published in Queen Anne's County, in the State of Maryland, once in each of four successive weeks before the seventeenth day of May next, give notice to the said absent defendants of the object and substance of this bill; and warn them to appear in this Court in person or by solicitor, on or before the nineteenth day of August next, to answer the premises and show cause if any they have, why a decree ought not to pass as prayed.

Samuel E. Dyeott, Clerk

And the said Elizabeth B. Thomson, Isaac Thomson, Garret L. Thomson, Margaret Thomson, Beulah L. Thomson, Mary L. Thomson, Smith Thomson, Ida Thomson, Clayton S. Thomson and Maurice Welch Jr. being returned "Summoned", appear in Court here; and the said Isaac Thomson, Garret L. Thomson, Margaret Thomson, Beulah L. Thomson, Mary L. Thomson, Smith Thomson, Ida Thomson and Clayton S. Thomson, being infants under twenty one years of age, the Court appoint James P. Budden, Guardian to answer and defend for them; and thereupon Philemon B. Hopper, Esquire, appears in Court here, as Solicitor for the said Guardian, as also for the aforesaid adult Respondents, agreeably to the letter of Attorney filed in said cause, as follows, to wit:

William Darmon

vs
Elizabeth B. Thomson, Samuel
M. Shoemaker, Anna W. Shoemaker
Isaac Thomson, Garret L. Thomson
Margaret Thomson, Beulah L. Thomson
Mary L. Thomson, Smith Thomson
Ida Thomson, Clayton S. Thomson
Maurice Welch Jr. & John H. Thomson

In the Circuit Court for
Queen Anne's County,
As a Court of Equity.

P. B. Hopper Esq.
Centreville, Md.

You will please appear for us in the above case, now pending in the Circuit Court for Queen Anne's County, as a Court of Equity, and in our behalf file an answer, admitting the partnership of Darmon & Thomson; that the real estate mentioned was purchased by them as partners, and agreeing that a decree may be passed for a sale of said real estate, — we wish that the case may be referred to the Auditor to state an account as prayed in said bill. — We are willing however that the decree for a sale may be passed before the said account is stated.

Elizabeth B. Thomson
Samuel M. Shoemaker
Annie W. Shoemaker
John H. Thomson

and on the second day of May, in the year aforesaid, the answer of the several adult Respondents by their Solicitor, and the answer of the Infants by their Guardian aforesaid, was filed in Court here, in the following words to wit:

The answer of Elizabeth B. Thomson, Samuel M. Shoemaker and Anna N. Shoemaker his wife, to the Bill of Complaint of William Darmon against them and others exhibited, in the Circuit Court for Queen Annes County Maryland. These defendants admit the partnership of Darmon and Thomson, as charged in said Bill of Complaint, and that the real estate mentioned in said Bill was purchased by the said William Darmon and Isaac L. Thomson as partners for partnership purposes. These defendants consent that a decree may be passed for the sale of said real estate, and that the case may then be referred to the Auditor to state an account as stated in said bill.

P. B. Hopper
Solic. for
Elizabeth B. Thomson, Anna N.
Shoemaker, Samuel M. Shoemaker

Wm Darmon

vs
Elizabeth B. Thomson, widow
& others the heirs at Law of
Isaac L. Thompson & admr. of
Isaac L. Thompson

Bill in the Cir. Court for
Queen Annes County

The joint and several answer of Maurice Welch Jr. & John H. Thompson to the bill of Complaint of William Darmon against them and others in the Circuit Court for Queen Anne County sitting as a Court of Equity, exhibited.

These Defendants admit the partnership of Darmon & Thomson as mentioned in the Bill of Complaint, that the real estate mentioned was purchased by them as partners, and for partnership purposes, that the personal estate belonging to the said partners is insufficient in the opinion of these defendants for the payment of the partnership debts, but they can neither admit, or deny, the account of the said William Darmon to be correct. They agree to a sale of the real estate as prayed for in said bill for the purposes mentioned in said bill.

P. B. Hopper
Solic. for Respondents

William Darmon

vs
Elizabeth B. Thomson
& others.

The joint and several answers of Isaac Thomson, Garret B. Thomson, Margaret Thom-
son, Beulah C. Thomson, Mary C. Thomson, Smith
Thomson, Ida Thomson and Clayton S. Thom-

son infants under the age of twenty one years by their guardian James P. Dudley to the Bill of Complaint of William Darmon against them and others exhibited in the Circuit Court for Queen Anne County sitting as a Court of Equity.

These defendants cannot admit any of the matters and things alleged in said bill and being infants under the age of twenty one years submit their rights to the protection of this Court.

On this second day of May in the year eighteen hundred and sixty five, the above named James P. Dudley appeared before me the subscriber, a Justice of the Peace, of the State of Maryland in and for Queen Anne's County and made oath that the matters and things stated in the foregoing answer are true to the best of his knowledge and belief.

Geo H. Rowlenon J.P.

And on the day and year aforesaid, the following agreement was filed to wit:

William Darmon

vs
Elizabeth B. Thomson
Samuel M. Shoemaker
Anna W. Shoemaker & others

In the Circuit Court for
Queen Anne's County
As a Court of Equity

We agree that a commission to take testimony in this case shall issue to James Wooters, Esq.

J. A. Nickles Sol. for complainants
P. B. Kopper, Sol. for Defts.

Whereupon a commission was accordingly issued in form following to wit:

Queen Anne's County to wit: The State of Maryland, To James Wooters Esquire of Queen Anne's County, Greeting: Be it known that you are appointed Commissioner to examine evidences in a cause depending in the Circuit Court for Queen Anne's County, between William Darmon Complainant, and Elizabeth B. Thomson, Anna W. Shoemaker, Samuel M. Shoemaker, Isaac Thomson, Garret L. Thomson, Margaret Thomson, Beulah L. Thomson, Mary L. Thomson, Smith Thomson, Ida Thomson, Clayton S. Thomson, Maurice Welch Jr. and John H. Thomson Respondents You are therefore hereby required having first taken the oath hereto annexed, and also administered the annexed oath to the person whom you shall appoint as Clerk to attend the execution of this commission, that at such time and place as to you shall seem convenient, you cause to come before you, all such evidences as shall be named and produced to you, by either the Complainant or Respondents, and that you examine them on their corporal oaths to be by you administered upon the Holy Evangelly of almighty God, touching their knowledge or remembrance of anything that may relate to the Cause aforesaid, and that you cause notice to be given to the parties or their Solicitors of the execution of this Commission, before you execute the same, and having reduced the depositions of the witnesses so taken by you, into writing, you send the same with this commission closed under your hand and seal to the said Circuit Court, with all convenient speed.

Witness the Honorable John M. Robinson Judge of the said Court the first day of May 1865; Issued this 2^d day of May 1865-

Samuel E. Lyott, Clerk

Commissioners Oath

You James Wooters shall according to the best of your skill and knowledge, truly, faithfully and without partiality to any or either of the parties in this cause, take the examinations and depositions of all

and every the witnesses produced and examined by virtue of the Commission hereto annexed, upon the interrogatories, now or which may hereafter before the said Commission is closed be produced to and left with you, by either of the said parties; So help you God
Sworn before Jno H. Rowleson

Clerk's Oath

You - - shall truly faithfully and without partiality to any or either of the parties in this cause, take write down and transcribe the depositions of all and every the witnesses produced before and examined by the Commissioner named in the Commission hereto annexed, as far forth as you are directed and employed by the said Commissioner to take write down and transcribe the said depositions or any of them, So help you God
Sworn before

And on the Eighth day of May in the year aforesaid, the said James Wooters, made return to the Court here, of the execution of said Commission as follows to wit:

William Darmon

vs
Elizabeth B. Thomson, Anna W. Shoemaker, Samuel M. Shoemaker, Isaac Thomson, Garet B. Thomson, Margaret Thomson, Beulah C. Thomson, Mary C. Thomson, Smith Thomson, Ida Thomson, Clayton Thomson, Angeline Welch & John H. Thomson

In the Circuit Court for Queen Anne's County
Sitting in Equity.

Interrogatories to be propounded to witnesses produced on the part of the Complainant:

1st Are you or not acquainted with the parties to this suit, or either and which of them, if yea; how long have you known them and each of them.

2nd Were you or not acquainted with Isaac S. Thomson, if yea; how long have you known him - Is Isaac S. Thomson, and if dead where did he die?

3^d In your answer to the last interrogatory you stated that Isaac S. Thomson is dead; - Did he or not leave a widow and children, if yea; name them, and state whether any of said children are married, and who to, and if any of said children are infants under the age of twenty one years, and which of them;

4th Were or not William Darmon the Complainant, and the late Isaac S. Thomson, engaged as partners in business prior to the death of the said Isaac S. Thomson; if yea, state the name and style of the firm under which they did business, and who composed the partnership.

5th You state in your answer to the last interrogatory that William Darmon and Isaac S. Thomson, were engaged in business as partners - State when said partnership was formed; the nature of the business in which they were engaged and the terms of said partnership, as regards the portion of the profits each was to receive and expense each

was to bear.

6th Did or not, the said Darmon & Thompson purchase, during the continuance of their partnership, several tracts of land lying in Queen Anne's County; if yea, name said tracts of land, and from whom purchased - and were or not said tracts of land purchased by them as partners and for partnership purposes; Did they or not purchase and hold some personal property; if yea, was the amount of personal property large;

7th Did or not the said Darmon & Thompson expend considerable sums of money, in erecting buildings, and a steam saw mill on said real estate, and in making other improvements; if yea state the nature and character of said improvements.

8th Did or not William Darmon one of the partners of the firm of Darmon & Thompson, advance for the firm for the purchase of real and property, and for defraying the expenses incurred in conducting the business; if yea, were or not said advances over and above his proportion as one of the partners; state all you know of this matter, and the time when said advances were made.

J. A. Wickes

Solicitor for Complainant

To the Honorable John M. Robinson Judge of the Circuit Court for Queen Anne's County.

At the execution of the annexed commission issued out of the Circuit Court for Queen Anne's County, and to me directed, empowering me to examine evidences in a cause depending in the said Court wherein William Darmon is Complainant, and Elizabeth B. Thompson and others are Respondents I, James Wooters, Commissioner therein named having taken the oath therunto annexed, did at Centerville on the third day of May 1865, (the usual notice by the respective Solicitors being waived) take the following depositions.

George W. Bennett, a witness of lawful age, produced and examined on the part of the Complainant, being duly sworn deposes and says to the first interrogatory, he knows all the parties except Eugene Post, and has known them about one year.

To the second interrogatory, he was acquainted with Isaac L. Thompson and knew him about three years. He died in January 1865.

To the third interrogatory he left a widow Elizabeth B. Thompson and Anna W. Shoemaker and Isaac L. Gamot L. Margaret L. Mary L., Smith, Ida and Clayton S. Thompson his only children. Anna W. intermarried with Samuel M. Shoemaker and the other children are all infants under the age of twenty one years and unmarried.

To the fourth interrogatory, they were engaged as partners in business prior to the death of said Thompson - the name and style of the firm under which they did business was Darmon & Thompson, and was composed of William Darmon and Isaac L. Thompson.

To the fifth interrogatory, the partnership was formed in the summer or fall of 1859; they were engaged in the lumber business having erected a steam saw mill and were carrying on a general lumber business in cutting and selling wood and timber. The place of their business was in Dumpton, Queen Anne's County. They were equal partners, each receiving half the profits, and each bearing half of the expenses in the purchase of property

and paying expenses.

To the sixth interrogatory, they did purchase several tracts of land viz 595 acres conveyed to them by Sheppard and Welch; four lots of land in the village of Prumpton conveyed to them by Sheppard and Welch; a small lot conveyed to them by John H. Thompson containing about a half acre; a tract of land conveyed to them by Ezekiel F. Chambers, Trustee, containing about 107 acres; a tract of land containing about six and a half acres conveyed to them by Richard Sparks and wife, and the three last tracts being described in Exhibits A, B. and C. herewith returned said tracts of land were purchased by them as partners and for partnership purposes, They did purchase and hold some personal property worth about One thousand dollars.

To the seventh interrogatory, they did spend considerable sums of money, in erecting buildings, and a Steam Saw Mill, on said Real Estate and in making other improvements, The nature and character of such improvements consisted in the erection of one dwelling and commencing two others, as also in clearing up the Woodland and cutting up the timber therefrom into lumber and cord wood.

To the eighth interrogatory, he knows nothing as to who paid the money for the purchases of the Real Estate, but witness knows that Damon paid the money for the purchase of all the personal property and that he also paid the money for all the expenses to the hands of in conducting the partnership business, Mr Damon also received the money from the partnership business.

George W. Bennett

Joseph C. Sheppard a witness of lawful age, produced and examined on the part of the complainant, being duly sworn deposes and says.

To the first interrogatory, he knows all the parties except Eugene Post, and has known them for a number of years.

To the second interrogatory, he was acquainted with Isaac L. Thompson and knew him for several years, said Thompson is now dead having died in January 1865.

To the third interrogatory, witness for answer to this question, refers to the answer of George W. Bennett to this interrogatory and adopts said answer as his.

To the fourth interrogatory, they were in partnership in business prior to the death of said Thompson under the name and style of Damon and Thompson, and the firm was composed only of said William Damon and Isaac L. Thompson.

To the fifth interrogatory, the partnership was formed in the summer or fall of 1859. - They were principally engaged in the lumber business having erected a Steam Saw Mill, and cut a considerable quantity of wood and timber, the firm business was carried on at Prumpton, and they were equal partners as to profits and expenses, in purchases and sales.

To the sixth interrogatory, they purchased the tracts of lands mentioned in Exhibits A, B. and C. filed with this Commission and the tracts of land described in the Bill of Complaint filed by deponent and Maurice Welch Junior, in this Court against William Damon and wife and the widow and heirs of Isaac L. Thompson and Eugene Post, which were mortgaged to this witness and Maurice Welch Junior, and particu-

early described in the Exhibits filed with said Bill of Complaint, said tracts of land were purchased by them as partners and for partnership purposes. They did purchase and hold some personal property, small in value compared to that of the Real Estate, Witness has heard both Darmon and Thompson say, that all the estate real and personal was partnership property.

To the seventh Interrogatory, they did expend considerable sums of money in erecting buildings and a Steam Saw Mill on said Real Estate, and in making other improvements - A considerable sum of money was expended by them in improving their land, clearing up and fencing, commenced building three houses one of which was finished, put up a large Steam Saw Mill nearly completed, and in working order, and have set out two peach orchards.

To the eighth interrogatory, William Darmon and Isaac S. Thompson purchased of witness and Maurice Welch, Junior, 595-acres of land, that William Darmon paid to witness and Welch Three thousand dollars on account of said purchase, being the only sum paid on that account, and said sum was Darmon's own money, said payment was made sometime in January 1860, Witness knows that Darmon had available funds, while Thompson had not, and he therefore believes that the said personal property was purchased with the private funds of said Darmon - Mr. Darmon paid the expenses incurred in conducting the business, and received the amount of sales arising from the business of the firm. Witness believes from his knowledge of the firm's business, that the advances made by Darmon were over and above his proportion as one of the partners.

Joseph C. Sheppard

There being no other witnesses to be examined, and neither party desiring further time for the production of evidence, the Commissioner closed the said Commission and herewith returns the same under his hand and seal this third day of May 1865.

James Wooters
Commissioner



Costs

Commissioner \$4.10
Witnesses 1.50 } \$5.60

And on the twelfth day of May in the year aforesaid, the following agreement was filed, to wit:

William Darmon
vs
Elizabeth C. Thomson
Samuel M. Shoemaker
Anna K. Shoemaker, & others

In the Circuit Court for Queen Anne's County, as a Court of Equity

We agree to submit the above case on the bill, answers and proofs in the case without argument.

J. A. Wickes, Sol. for Complainant
P. B. Hopper Solr. for Defts

and on the day and year, last aforesaid the said Court pass the following Decree, to wit:

William Darmon

vs
Elizabeth C. Thomson } In the Circuit Court for Queen Anne's County
as a Court of Equity.

Samuel A. Shoemaker, Anna
 W. Shoemaker, Isaac Thomson
 Garrett L. Thomson, Margaret
 Thomson, Sarah L. Thomson
 Mary L. Thomson, Smith Thomson
 Ida Thomson, Clayton S. Thomson
 John H. Thomson & Maurice Welch Jr.

This cause standing ready for hearing, and being submitted without argument, the proceedings were read and considered.

It is thereupon, this 12th day of May in the year of our Lord, eighteen hundred and sixty five, by me John M. Robinson, Judge of the Circuit Court for Queen Anne's County, as a Court of Equity, and by the authority of this Court, adjudged ordered and decreed, that the Real Estate in the proceedings mentioned be sold, for the payment of the debts of Damon T. Thomson, and for division and distribution among the parties in such manner as they may be entitled, that Joseph T. Means of Kent County be and he is hereby appointed Trustee, to make such sale; and that the course and manner of his proceeding shall be as follows: He shall first file in the Clerk's Office of the Circuit Court for Queen Anne's County a bond to the State of Maryland, executed by himself, with a surety or sureties to be approved by the Clerk thereof, in the penalty of three thousand dollars, conditioned for the faithful performance of the trust reposed in him by this decree, or which may be reposed in him by any future ^{order or} decree in the premises. He shall then proceed to make sale of the said real estate, having first given at least three weeks previous notice, inserted in some newspaper printed and published in Queen Anne's County, and such other notices as he may think proper of the time, place, manner, and terms of sale; which terms shall be as follows, one third of the purchase money to be paid cash on the day of sale, or on the ratification thereof by this Court, and the residue thereof, in equal instalments, in one and two years from the day of sale, the credit payments to bear interest from the day of sale, and the payment thereof to be secured by the bonds of the purchaser, with a surety or sureties, to be approved by the Trustee, and as soon as may be convenient after any such sale or sales, the said Trustee shall return to this Court, a full and particular account of the same, with an affidavit of the truth thereof, and of the fairness of such sale or sales annexed, and on the ratification of such sale or sales by this Court, and on the payment of the whole purchase money (and not before) the said Trustee, by a good and sufficient deed, to be executed and acknowledged agreeably to law, shall convey to the purchaser or purchasers of said property, and to his, her or their heirs, the property to him her or them sold free clear and discharged of all claim of the parties to this cause, and of any person or persons claiming by, from or under them, and the said Trustee shall bring into this Court the money arising on such sale or sales, and the bonds or notes which may be taken for the same to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit, and such commission to the said Trustee, as the Court shall think proper to allow, on consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust; and at the time of advertising said sale, the Trustee is directed to give notice to the creditors of

Darmon & Thomson, to file their claims with the vouchers thereof in the clerk's office of the Circuit Court for Queen Anne's County, within four months from the day of date. and it is further adjudged, ordered, and decreed, that after such sale or sales, that William Darmon, surviving partner of Darmon & Thomson, account for the personal property and assets of the Partnerships; in his hands: and that this cause after such sale or sales, be referred to the Auditor of this Court, with directions to take an account of the debts of Darmon & Thomson, which are unpaid and of the application of the personal property and assets of the partnership, by the said William Darmon as surviving partner: and of the claims of the said William Darmon against the said partnerships: and of and concerning all matters in the proceedings mentioned, from the pleadings and proofs in the cause, and such other proofs, (if any) as the parties may produce before him, on giving the usual notice,

Jno M. Robinson

And on the twenty first day of June in the year aforesaid, the said Joseph A. Nickes, the trustee named in said decree, files in Court here, the following Bond with the endorsement thereon to wit:

Know all men by these presents that we Joseph A. Nickes J. A. N. E. F. B., J. A. N. E. F. B. and Ezekiel F. Chambers, of Kent County, in the State of Maryland, are held and firmly bound unto the State of Maryland, in the full and just sum of three thousand dollars current money, to be paid to the said State of Maryland, or its certain attorney; to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs Executors and Administrators jointly and severally firmly by these presents Sealed with our seals and dated this twentieth day of June in the year Eighteen hundred and sixty five.

Whereas by a decree of the Circuit Court for Queen Anne's County, as a Court of Equity, bearing date on the 12th day of May in the year Eighteen hundred and sixty five, and passed in a cause in the said Court, wherein William Darmon is Complainant and Elizabeth B. Thomson and others are Defendants, the above bound Joseph A. Nickes has been appointed trustee, to make sale of certain Real Estate, in the proceedings in said cause mentioned,

Now the condition of the above obligation is such, that if the above bound Joseph A. Nickes do and shall well and truly perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, then the above obligation to be void, otherwise to remain in full force and virtue in law.

Signed, sealed and delivered in the presence of Jesse N. Hines

J. A. Nickes
E. F. Chambers

Approved June 21st 1865.

S. C. Drott, Clerk

And thereupon further process of and upon the premises aforesaid was by regular continuances continued from term to term of the said Court, until the first Monday of November in the year Eighteen hundred and sixty five, on which said first Monday of November comes into Court here, the parties aforesaid by their solicitors aforesaid, and afterwards to wit on the eighth day of January in the year Eighteen hundred

and sixty six, the said Joseph A. Nickes, the Trustee, made the following Report of Sale to wit:

William Darmon
vs
Elizabeth B. Thomson
Anna N. Shoemaker
Samuel M. Shoemaker & others

In the Circuit Court for Queen Annes County
as a Court of Equity.

To the Honorable John M. Robinson Judge of the Circuit Court
for Queen Annes County, as a Court of Equity.

The Report of Joseph A. Nickes, Trustee appointed by the decree in this cause, to make sale of certain Real Estate therein mentioned, shows: That after giving bond with security for the faithful discharge of his trust as required by said decree, he caused the land to be surveyed by G. L. Howell Esq. a competent Surveyor of Queen Annes County, and after giving notice of the time, place, manner, and terms of Sale, by advertisements in the Centreville Observer and Crumpton Gazette, two newspapers printed in Queen Annes County, and the Chestertown Transcript, a newspaper printed in Kent County, for more than three successive weeks before the day of Sale, and also by advertisement in the Delaware Gazette, a Newspaper printed in the City of Wilmington in the State of Delaware, and by hand bills extensively circulated throughout Queen Annes and Kent Counties, he did pursuant to said notice attend at the Hotel of Joshua Halls in the village of Crumpton, on Thursday the twenty seventh day of July in the year Eighteen hundred and sixty five, at eleven O'Clock A. M. and then and there proceeded to offer for Sale, said Real Estate,

Your Trustee offered at public Sale to the highest bidder the tract of land in the proceedings mentioned, which was conveyed by Richard Sparks and wife to Darmon and Thomson, by deed bearing date the 23rd of June 1864, containing 6 acres and 2 Rods: and sold the same to William Darmon, he being then and there the highest bidder therefore, at and for the price of twenty four dollars an acre, the whole purchase money amounting to \$156.00, of which sum the said William Darmon has since paid fifty two dollars, the one third part thereof, and your Trustee has since taken the bond of the said William Darmon, with Joseph B. Sheppard as his security for the payment of the sum of \$104.00 the residue of said purchase money, in equal moities with interest thereon, in one and two years from the day of Sale.

Your Trustee being unable to obtain a bid in any manner adequate in value, for any other part of the Real Estate in the proceedings mentioned, he adjourned the sale thereof.

And your Trustee further states that since that time after giving notice in the manner before stated, of the time, place, manner, and terms of Sale, in the Centreville Observer a newspaper printed in Queen Annes County, and also by hand bills extensively circulated in Queen Annes and Kent Counties he did pursuant to said notice, attend at the Hotel of Joshua Halls, in the village of Crumpton, on Wednesday, the eighth day of September, in the year Eighteen hundred and sixty five at two O'Clock P. M. and then and there proceeded to sell said Real Estate as follows to wit:

Your Trustee offered at public Sale to the highest bidder, the tract of land

in the proceedings mentioned, which was conveyed by Ezekiel F. Chambers, Trustee to William Darmon & Isaac Thomson, by deed bearing date the Seventh of November 1863, commonly called the "Cornelius Farm" containing 114 acres and 27 perches which was struck off to John M. Ladue, he being then and there the highest bidder therefore, at and for the price of ten dollars and fifty cents an acre, the whole purchase money amounting to \$1195.⁷⁵/₁₀₀; and the said John M. Ladue being desirous that John Bryan and William Bryan of Kent County, should be returned by your Trustee as the purchasers of said tract of land, your Trustee does accordingly return them as the purchasers thereof: and your Trustee further reports that the said John Bryan and William Bryan have since paid to him the sum of \$399.⁷⁵/₁₀₀ the one third part of said purchase money, and that he has since taken the bond of the said John Bryan and William Bryan with Jesse K. Himes as their security for the payment of the sum of \$799.⁷⁵/₁₀₀, the residue of said purchase money, in equal moities, with interest thereon in one and two years from the day of sale, in the next place, your Trustee offered for sale the lot of land, near the village of Knumpton which was conveyed by John H. Thomson to Darmon and Thomson by deed bearing date the 8th November 1860, and sold the same to John H. Thomson, he being then and there the highest bidder therefore, at and for the sum of five dollars, which sum the said John H. Thomson has since paid, and which your Trustee received.

And your Trustee further Reports, that at each time of advertising said sales he gave notice to the Creditors of Darmon Thomson to file their claims with the vouchers thereof in the clerk's office of the Circuit Court for Queen Anne's County, within four months from the first day of sale.

Which is respectfully submitted
J. A. Nickes, Trustee

Kent County to wit:

On this 6th day of January 1866, before the subscriber a Justice of the Peace of the State of Maryland, in and for Kent County aforesaid, personally appeared the within named Joseph A. Nickes, Trustee, and made oath, that the matters and things stated in the foregoing Report are true to the best of his knowledge and belief, and that the sales therein reported were fairly made.

James Graves

State of Maryland, Kent County Sch.

I, Jesse K. Himes, clerk of the Circuit Court for Kent County, hereby certify that James Graves Esq., before whom the annexed affidavit was made, and who has signed his name thereto, was at the time of so doing, a Justice of the Peace of the State of Maryland, in and for the Fourth Election District of Kent County, duly Commissioned and qualified.

Seal
Circuit Court
for
Kent County
Maryland

21
Jan 6 1866

In testimony whereof, I hereto subscribe my name, and affix the seal of the Circuit Court, for Kent County, this Sixth day of January Anno Domini 1866.
Jesse K. Himes, Clerk

The survey referred to in the foregoing Report of Sale is as follows, to wit:

Upon which Report of Sale, the following order was passed, to wit:

William Darmon

Elizabeth Thomson
Anna M. Shoemaker
Samuel M. Shoemaker and others

In the Equity Side of the Circuit
Court for Queen Anne's County.
January 8th 1866

Ordered by me Samuel E. Dyott, Clerk of the Circuit Court for Queen Anne's County that the sales made and reported by Joseph A. Wickes, Trustee in the above entitled case be ratified and confirmed unless cause to the contrary thereof be shewn on or before the fifteenth day of March next. Provided a copy of this Order be inserted in some Newspaper printed and published in Queen Anne's County, Maryland, once in each of three successive weeks prior to the fifth day of February next.

The Report states the amount of Sales to be \$1,357.97

Samuel E. Dyott, Clerk

And on the thirtieth day of April in the year last aforesaid, the Court passed the following Order, to wit:

William Darmon

vs
Elizabeth B. Thomson & others

In the Circuit Court for Kent County
As a Court of Equity April 1866.

Ordered that the sales within reported be and the same are hereby ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given as directed, by the preceding order. The Trustee is allowed for expenses, as per bills and receipts the sum of \$99.40, and for his Commissions the sum of \$89. 2/100.

John M. Robinson

and thereupon further process of and upon the premises aforesaid, was by regular continuances continued from term to term of the said Court until the first Monday of November in the year Eighteen hundred and sixty seven; on which said first Monday of November, comes into Court here, the parties aforesaid, by their Solicitors aforesaid; and on the fourteenth day of January in the year Eighteen hundred and sixty eight, Joseph A. Wickes the Trustee in this cause, filed in Court here, the following petition to wit:

To the Honorable John M. Robinson Chief Judge of the Second Judicial Circuit of Maryland.

Your Petitioner Joseph A. Wickes respectfully represents, that he was appointed Trustee by a decree of the Circuit Court for Queen Anne's County, as a Court of Equity in the case in which William Darmon is Complainant - and Elizabeth B. Thompson, Samuel M. Shoemaker and Anna M. Shoemaker and others are Defendants - to sell the Real Estate in the proceedings in said cause mentioned - that he sold said real estate - and duly reported the sales thereof, which report has been finally ratified by the Court.

Your Petitioner further represents that William Darmon one of the purchasers of a portion of said Real Estate having failed to pay the amount secured by his bond, an instalment of which became due on the 27th of July 1866, - Your Petitioner was compelled to institute suit thereon to the November Term 1866, of the Circuit Court for Queen Anne's County, and has since obtained judgment thereon against Joseph L. Sheppard the

surety on said bond (the said William Darmon being a non resident) for the sum of one hundred and eighteen dollars and eighteen cents \$118.¹⁸/₁₀₀.

Your petitioner further represents that John Bryan and William Bryan the purchasers of another portion of said Real Estate, having also failed to pay the secured instalment of their bond, which became due on the 6th of September 1867, namely the sum of three hundred and ninety nine dollars and fifty nine cents \$399.⁵⁹/₁₀₀ with interest from the 6th of September 1866, your petitioner was compelled to enable him to close said trust, to institute suit thereon to the October Term 1867, of the Circuit Court for Dent County.

Your petitioner further represents that he acted as counsel himself in said suits and prays your Honor to pass an order directing the Auditor to allow to your petitioner the collection fee usually allowed in such cases, and as in duty he

J. A. Pearce

Atty for Joseph A. Nicks

Which said petition being read, and by the Court considered, the following order was passed thereon, to wit:

In the Circuit Court for Queen Anne's County as a Court of Equity
 Ordered this 8th day of Janu. 1868, that the prayer of the foregoing petition, be and the same is hereby granted and that the Auditor is hereby directed to allow to the petitioner Joseph A. Nicks, a Commission of five per cent on the sum of \$118.¹⁸/₁₀₀, the amount of the judgment against Joseph L. Sheppard, and also on the sum of \$399.⁵⁹/₁₀₀ the amount for which suit has been instituted on the bonds of John Bryan and William Bryan, as a counsel fee which the said trustee is directed to retain with a due proportion of interest thereon when the respective sums are received by him,

Jno M. Robinson
 Janu 8th 1868

And on the twenty seventh day of January in the year last aforesaid, Philemon B. Hopper, Esquire, Auditor, files in Court here a statement of claims and audit thereon as follows, to wit:

A statement of debts against Darmon & Thompson with interest calculated to 27th July 1865; the day of sale of Real Estate.

Sheppard & Welch Note Int from 14 th Oct 1863, to 27 th July 1865- Costs	Claim No 1	500 00		
		53 38		
		10		
			553	68
Maurice Welch Jr. Note Int from 14 Oct., 1863 to same time Costs	" No 2	315 00		
		34 76		
		10		
			349	86
Jno H. Thompson use Maurice Welch Jr. Note Int from June 24 th 63 to same time Costs	" No 3	200 00		
		25 10		
		20		
			225	30
Thomas E. Bassor & Co. acct. Int from 21 st March 65 to same time Costs	" No 4	224 10		
		4 70		
		30		
			229	30

John H. Thompson acct Int from 18 th Oct. 64. to same time Costs	" No 5	100 00 10 65 55	111 20
J. H. Risdon acct Int from 13 Janu. 65 to same time Costs	Claim No 6	36 80 1 17 55	37 72
Sheppard & Welch Note Int from 9 November 1861, to same time Costs	Claim No 7	175 00 39 02 10	214 12
Amount brought over			1721 18
George Page Bro. acct Int from 10 May 65 to same time Costs	Claim No 8	268 71 3 45 50	272 66
H. B. Slaughter acct Average interest to same time Costs	Claim No 9	137 80 17 40 15	155 35
H. B. Slaughter & Son acct. Int from Oct 25 th 64. to same time Costs	" No 10	27 00 1 21 15	28 36
H. B. Slaughter & Bro acct. Average interest to same time Costs	" No 11	225 37 15 43 15	240 95
Samuel Roberts acct Int from Oct 1864 to same time Costs	" No 12	294 00 13 23 10	307 33
Joseph C. Sheppard, Note Int from 14 th Oct. 1863 to same time Costs	" No 13	150 00 16 07 10	166 17
William H. Flatt acct. Int from 29 Sept 64. to same time Costs	" No 14	90 00 4 50 55	95 05
H. C. Larrabee agent for acct Int from May 64 to same time Costs	" No 15	151 97 10 63 40	163 00
Amount brought			3160 05
Samuel M. Shoemaker acct Int from 1 November 64 to same time Costs	Claim No 16	120 50 5 36 55	126 41

Emily Holmes admx of R. S. Holmes acct	No 17	157	57		
Int from 6 June 65 to same time		1	33		
Costs			40	159	30
N. J. Woodruff acct	" No 18	141	06		
Int from 2 nd Dec 63 to same time		13	88		
Costs			55	155	49
				359	25

William Damon
 vs
 Elizabeth B. Thompson & others
 In the Circuit Court for Queen Anne's County, sitting as a Court of Equity

To the Honorable, the Judges of the Circuit Court for Queen Anne's County.

The Auditor respectfully reports that he has examined the proceedings in this cause, and has therefrom prepared the following account between the Real Estate mentioned therein and J. A. Nickes Esq Trustee for the Sale thereof. He has allowed to the Trustee his Commissions and expenses as directed by order of Court, also a bill of taxes paid by him, and also Attorneys' commissions for the collection by suit of a part of the purchase money as ordered by the Court, To the complainants & Defendants each he allowed their costs of suit and to the Auditor his fee. The balance he divided among the claims entitled thereto giving to each at the rate of 27 7/10 per cent.

All of which is submitted
 J. B. Kopper Auditor
 Janu 24th 1868

Dr. The Real Estate of Damon & Thompson in acct with Joseph A. Nickes Esq Trustee for sale thereof Cr

1863					
July 27	To the Trustee for his Commissions			89	08
	To the Trustee for his Expenses			99	97
	To the Trustee for taxes paid by him			38	90
	To the Trustee for attys commissions as per order of Court			25	88
	To the complainants for their costs of suit viz				
	Solicitor	20	00		
	S. E. Dyott late Clerk	12	76		
	James Wooster, Clerk	35	10		
	Mr. F. Ford, Sheriff	4	00		
	James Wooster Comm ^r to take testimony	4	10		
	Joseph C. Sheppard & George W. Bennett each 15-cts	1	50	77	46
	To the defendants for their costs of suit viz				
	Solicitor	10	00		
	S. E. Dyott late Clerk	9	74		

James Wothers Clerk

		3	28	22	99
To Sheppard & Welch	Claim No 1	553	68	133	37
To Maurice Welch Jr	" No 2	349	86	97	91
To J. H. Thompson use Maurice Welch Jr	" No 3	225	30	62	41
To Thomas C. Bassher & Co	" No 4	259	30	63	52
To John H. Thompson	" No 5	111	20	30	80
To T. H. Risdon	" No 6	37	72	10	45
To Sheppard & Welch	" No 7	214	121	59	31
To George Page & Co	" No 8	272	66	75	53
To H. B. Slaughter	" No 9	153	35	43	03
To H. B. Slaughter & Son	" No 10	28	36	7	86
To H. B. Slaughter & Bro	" No 11	240	95	66	74
To Samuel Roberts	" No 12	307	33	85	13
To Joseph E. Sheppard	" No 13	166	17	46	03
To William H. Flatt	" No 14	95	05	26	33
To H. B. Lemabe Agents &c	" No 15	163	00	45	15
To Samuel N. Shoemaker	" No 16	126	41	35	02
Amounts carried up		3276	46	1262	48
To amounts brought over		3276	46	1262	48
To Emily Holmes admr of R. S. Holmes	Claim No 17	159	30	44	12
To N. F. Woodruff	" No 18	135	49	43	07
		3591	25	1349	67
To amount of auditors fee				10	10
				1359	77
1865 July 27	By amount of proceeds of real estate as per trustee's Report of same filed			1359	77

and on the thirteenth day of May in the year last aforesaid, the Court here, pass an order ratifying the auditors Report heretofore filed in this case in the following words to wit:

In the Circuit Court for Queen Anne's County, in Equity
 January Term 1868

Ordered this 13th day of May eighteen hundred and sixty eight that the within report of the auditor be and the same is hereby finally ratified and confirmed, and the Trustee is directed to apply proceeds accordingly with a due proportion of interest as the same has been or may be received.

Geo M. Robinson
Frederick Stump

Whereupon the said cause was by order of the court here discontinued

TEST

James Hooters Clerk

Susan Cook

vs
John B. Hopper and
William J. McFeely in the
names of McFeely & Hopper
and Carrie M. Ashcom

the words following, to wit:

To the Honorable John M. Robinson, Judge of the Circuit Court
for Queen Anne's County, as a Court of Equity.

The Bill of Complaint of Susan Cook, of Queen Anne's County
humbly shows that your Oratrix and a certain John B. Hopper, William J.
McFeely in the name of McFeely & Hopper and a certain Carrie M. Ashcom
are concurrent owners of a lot of ground in the town of Centerville,
in Queen Anne's County, aforesaid, being part of Lot number one south
distinguished by the following metes and bounds to wit: Beginning
at the end of two hundred and seventy four feet on the line that
runs from the stone planted at the corner of the Brick Stores, a line
of the Public Land, and running fifty six feet with the same line, then
with the outline of the lot aforesaid until it meets the or Pennelly
lot, then with the or Connolly lot fifty six feet, then with a straight
line to the beginning, - two undivided third parts thereof belonging to
your Oratrix, one undivided sixth part thereof belonging to the said
McFeely & Hopper, and one undivided sixth part thereof, belonging to the
said Carrie M. Ashcom, a certain Susan S. Ashcom widow of the late
Thomas Ashcom Junior deceased, having a dower right in the undivided
third part thereof owned by the said McFeely & Hopper and the
said Carrie M. Ashcom as aforesaid, and your Oratrix states
that the said McFeely & Hopper are residents of Queen Anne's
County aforesaid, and that the said Carrie M. Ashcom is an
infant under the age of twenty one years and a resident of the
City of Philadelphia in the State of Pennsylvania.
And your Oratrix charges that the said lot of ground is not sus-
ceptible of division amongst the parties interested without loss and
injury to all the parties interested, and that it will be for the interest
and advantage of the said Carrie M. Ashcom, the said McFeely &
Hopper and your Oratrix to sell the aforesaid lot of ground and
to divide the proceeds thereof between the parties interested in the pro-
portions of their respective interests.

To the end therefore that the said McFeely & Hopper and the said
Carrie M. Ashcom may answer the premises and that a decree may
be passed for a sale of the aforesaid lot of ground and the proceeds
of said sale be distributed between the said McFeely & Hopper the said
Carrie M. Ashcom and your Oratrix in the proportions of their res-
pective interests as above set forth and that your Oratrix may have
such other and further relief as his case may require.

May it please your Honor to grant unto your Oratrix the writ of
subpoena against the said John B. Hopper and W. J. McFeely, in the
name of McFeely & Hopper, of Queen Anne's County aforesaid, com-
manding them to appear in this Court at some certain day therein

named to answer the premises and abide by and perform such decree as may be passed therein - and also to grant unto your Oratrix a Commission directed to two discreet persons, in the City of Philadelphia in the State of Pennsylvania giving to them or either of them full power and authority to assign and appoint a guardian for the aforesaid Carrie N. Ashcom, who is a non resident infant as before stated and to take the answer of the said non resident infant by such guardian, to this Bill of Complaint and to transmit such answer together with a Certificate of having assigned and appointed such guardian as aforesaid & the aforesaid Commission to your Honor & us in duty bound &c.

Thos J. Peating
Soll for Compt

Whereupon a Subpoena was issued for the said John B. Hopper and William J. McFeely in the name of Mc Feely & Hopper, according to the prayer of the complainant; and said Bill of Complaint having also prayed that a Commission be issued to two discreet persons in the City of Philadelphia, to assign and appoint a guardian for the aforesaid Carrie N. Ashcom, the Court order said Commission in the following words to wit:

S. E. Duett, Clerk.

Will issue Commission to Palmer Woodward and Maurice Otheimer of Philadelphia authorizing them or either of them to act as Commissioners according to the within prayer. The said Commission to be returned under their hands and seals, or the hand and seal of one of them if but one shall act.

Jno M. Robinson
Nov 1 1866

and which said Commission was accordingly issued, as follows, to wit: Queen Annes County to wit: The State of Maryland, to Palmer Woodward and Maurice Otheimer of the City of Philadelphia State of Pennsylvania, Greeting, Whereas Susan Cook of Queen Annes County, State of Maryland, has filed her Bill of Complaint in the Circuit Court for Queen Annes County as a Court of Equity, setting forth that she the said Susan Cook and a certain John B. Hopper and William J. McFeely in the name of Mc Feely & Hopper and a certain Carrie N. Ashcom are concurrent owners of a lot of ground in the town of Centreville in Queen Annes County aforesaid being part of lot number one (South) &c two undivided third parts thereof belonging to the said Susan Cook, one undivided sixth part thereof belonging to the said Mc Feely & Hopper, and one undivided sixth part thereof belonging to the said Carrie N. Ashcom, a certain Susan S. Ashcom widow of the late Thomas Ashcom Junior deceased having a dower right in the undivided third part thereof owned by Carrie N. Ashcom and Mc Feely & Hopper, as aforesaid, and that it will be for the interest and advantage of the said Carrie N. Ashcom and all the parties interested to sell the aforesaid real estate, and invest the proceeds in some productive fund for their benefit, but for as much as the said Carrie N. Ashcom is not only an infant under the age of twenty one years but is also a non resident of the State of Maryland, and cannot answer the said Bill nor defend this Suit without having a guardian assigned in that behalf. As it therefore known that the said Court has given you full power

and authority to assign and appoint a guardian for said infant, to take the answer of said infant, by such guardian to the said bill, and you or either of you are hereby requested that at such day and place, as you or either of you shall think fit, you or either of you go to said infant, if she cannot conveniently come to you, and assign and appoint a guardian to said infant and take the answer of said infant to the said Bill, on such guardians Corporal oath to be administered by you upon the Holy Evangel of Almighty God the said answers being distinctly and plainly written, and when you shall have taken said answers, you are to send the same close under your hands and seals, or the hand and seal of one of you, if but one of you shall act, together with your certificate of your having assigned such guardian as aforesaid, and this writ unto the said Court.

Witness the Hon. John M. Robinson Judge of our said Court the 23 day of July eighteen hundred and sixty six.

Issued the 1st day of November 1866.

Samuel C. Dyott, Clerk

and afterwards, to wit: On the first Monday of November in the year aforesaid, the said John B. Hopper and William J. McFetters, in the name of McFetters & Hopper, were by the Sheriff of Queen Annes County returned "Summoned," to answer unto the Complaint of the said Susan Cook and on the nineteenth day of January in the year Eighteen hundred and sixty seven, Palmer Woodward, one of the Commissioners named in said Commission, made return to the Court of the Execution of said Commission as follows to wit:

To the Hon. John M. Robinson Judge of the Circuit Court for Queen Annes County.

The subscriber being the Commissioner named in the annexed commission, hereby certifies that in execution of the powers thereby vested in him he did on the 26th day of November 1866, proceed to the house of Palmer Woodward in the City of Philadelphia, State of Pennsylvania, where the said Carrie K. Ashcom the infant named in said Commission then was, and caused the said infant to be brought before me, and then and there in the presence of said infant assigned and appointed Thomas E. Gaskill of the City of Philadelphia Guardian to said infant, and took the answer of said infant by her said Guardian and under the oath of said guardian by me administered to the Bill of Complaint in said Commission mentioned, which said answer with said Commission is herewith returned, closed under my hand and seal this 26th day of November A. D. 1866,

Palmer Woodward

The answer of Carrie K. Ashcom, infant under the age of twenty one years by Thomas E. Gaskill her guardian to the bill of Complaint of Susan Cook, against her and others exhibited.

This defendant cannot admit any of the matters and things alleged in the said bill, and being an infant of tender years submits her rights to the protection of this Court.

Thos. E. Gaskill

State of Pennsylvania, Philadelphia City County, Ec

On this 26th day of November 1866, the within named Thomas E. Gaskill appeared before me a Commissioner, and made oath on the Holy Evangel of Almighty God, that the matters and things

stated in the foregoing answer are true to the best of his knowledge and belief
Sworn before

Palmer Hayward

and thereupon Philemon B. Hopper, Esquire, appears in Court here as Solicitor for the said Thomas E. Gaskill, Guardian of the said Carrie H. Ashcom and on the said day the following agreement was filed to wit:

Susan Cook

vs

Mc Feeley & Hopper
Carrie H. Ashcom

On the Equity side of the Circuit Court for Queen Annes County.

I, Susan S. Ashcom widow of Thomas Ashcom Junior late of said County deceased do hereby agree that the Real Estate in the proceedings in this cause mentioned shall be sold under the direction of this Court free from the incumbrance of my dower therein, and that in lieu thereof I will accept such proportion of the proceeds of sale of said real estate as this Court shall adjudge to be reasonable.

Susan S. Ashcom

and also on the second day of February in the year last aforesaid, the said John B. Hopper and William J. Mc Feeley in the name of Mc Feeley and Hopper, by the aforesaid Philemon B. Hopper, Esquire, their Solicitor, appear in Court here, and file their answer to the foregoing Bill of Complaint, in the words following to wit:

The answer of W. J. Mc Feeley & J. B. Hopper to the Bill of Complaint of Susan Cook against them and Carrie H. Ashcom in the Circuit Court for Queen Annes County exhibited.

These defendants admit the various matters and things set forth in the Complainants Bill of Complaint to be true, and agree that the interests of all parties entitled will be subserved by a sale of the Real Estate mentioned as sought by said Bill of Complaint, they pray to be here dismissed &c.

P. B. Hopper Solr.

for W. J. Mc Feeley & J. B. Hopper

and on the day and year last aforesaid, the following agreement was filed, to wit:

Susan Cook

vs

John B. Hopper
W. J. Mc Feeley in name
of Hopper & Mc Feeley
Carrie H. Ashcom

On the Equity side of the Circuit Court for Queen Annes County.

It is hereby agreed that a Commission shall issue to William S. Connolly to take testimony in this case.

Feb 2^d 1867

Thos. J. Keating Solr for Comp
P. B. Hopper Solr for Defts

Whereupon a Commission was accordingly issued, in form following, to wit: The State of Maryland, to William S. Connolly of Queen Annes County, greeting Be it known that you are appointed Commissioner to examine evidences in a cause depending in the Circuit for Queen Annes County between Susan Cook, Complainant, and John B. Hopper and William J.

Mc. Feely in the name of Mc. Feely and Hopper, and Carrie W. Ashcom Respondents, you are therefore hereby commanded having first taken the oath hereto annexed, and also administered the annexed oath to the person whom you shall appoint as Clerk, to attend the execution of this Commission, that at such time and place, as to you shall seem convenient you cause to come before you all such evidences as shall be named and produced to you by either the Complainant or Respondents, and that you examine them upon their corporal oaths to be by you administered upon the Holy Evangelij of Almighty God, touching their knowledge or remembrance, of any thing that may relate to the cause aforesaid and that you cause notice to be given to the parties or their Solicitors of the execution of this Commission, before you execute the same, and having reduced the depositions of the witnesses so taken by you into writing you send the same with this Commission closed under your hand and seal to the said Court with all convenient speed.

Witness the Honorable John M. Robinson, Judge of our said Court
the fifth day of November eighteen hundred and sixty six.
Dated February 2^d 1867

Samuel E. Dwyer, Clerk

Commissioners Oath

You William S. Connolly, shall according to the best of your skill and judgment, truly faithfully and without partiality to any or either of the parties to this cause, take the examinations and depositions of all and every the witnesses produced and examined by virtue of the Commission hereto annexed, upon the interrogations now or which may hereafter before the said Commission is closed, be produced to and left with you by either of the said parties. So help you God

Sworn before A. M. Arlett J. P.

Clerk's Oath

You shall truly faithfully and without partiality to any or either of the parties to this cause, take write down and transcribe the depositions of all and every the witnesses produced before and examined by the Commissioner named in the Commission hereunto annexed, as far forth as you are directed and employed by the Commissioner, to take, write down and transcribe the said depositions or any of them. So help you God

Sworn before

and on the twelfth day of February in the year last aforesaid, the said William S. Connolly made return to the Court here, of the execution of said Commission as follows to wit:

Susan Cook

vs
William J. McFeely &
John B. Hopper in the
name of McFeely & Hopper
Carrie W. Ashcom

On the Equity side of the Circuit Court
for Queen Anne's County.

Interrogatories to be proposed to witnesses to be produced on the part of the Complainant:

1st Are you or not acquainted with the parties to this suit; if you how long have you known them.

2nd Are you or not acquainted with the lot of land described in

the bill of Complaint in this case:

3^d - Is or is not said lot of land in your opinion susceptible of division among the parties interested without loss and injury to all the parties interested. Give the reasons for this opinion.

4th Will or not be for the interest and advantage of the parties to sell said lot of land and to divide the proceeds between them? Give the reasons for this opinion.

5th What in your opinion is the value of said lot of land?

Thos. J. Keating
Sole for Complainants

To the Honorable John M. Robinson, Judge of the Circuit Court for Queen Anne's County.

At the execution of the annexed Commission issued out of the Circuit Court for Queen Anne's County, and to me directed, empowering me to examine evidences in a cause depending in said Court, wherein Susan Cook is Complainant and John B. Hopper and William J. McFeely in the name of McFeely and Hopper and Pamie W. Ashcom are Respondents, I, William S. Connolly, Commissioner therein named, having taken the oath annexed to said Commission, did at Centreville on the eighth day of February 1867, proceed to take the following depositions, the usual notice by the Solicitors of the parties being waived.

Thomas Ashcom, a witness of lawful age produced and examined on the part of the Complainant being duly sworn deposes and says

To the first interrogatory. He is acquainted with all the parties, and has known them for a large number of years.

To the second, He is acquainted with the lot of land described in this case.

To the third - It is not susceptible of division, for the reason that to divide it in several lots would injure the value thereof.

To the fourth - It will be to the interest and advantage of all the parties to sell the said land and divide the proceeds thereof between them. For the reason, none of the parties interested are able to improve it, and in its present condition it is of no value to them, it cannot be rented to any one, being without buildings and unenclosed.

To the fifth - In his opinion it is worth four or six hundred dollars.

Thos. Ashcom

Pere F. J. Blake - A witness of lawful age produced and sworn on the part of the Complainant deposes and says.

That having heard the answers of Thomas Ashcom to the interrogatories, he adopts the several answers of said witness as his.


P. F. J. Blake

Robert G. Price, a witness of lawful age, produced and sworn on the part of the Complainant deposes and says.

That having heard the answers of Thomas Ashcom, to the interrogatories, he adopts the several answers of said witness as his.

Robert G. Price

There being no other witnesses to be examined and neither party desiring further time for the production of evidence, the Commissioner closed the said Commission and herewith returns the same under his hand and seal, this eighth day of February eighteen hundred and sixty seven.

William L. Bonnell 
Commissioner

Commissioner \$4.10
Witnesses 2.25 \$6.35

Thereupon the following agreement was filed to wit:

Susan Cook
vs
On the Equity side of the Circuit Court for
Queen Anne's County
McFeely & Hopper
Cammie W. Ashcom

It is hereby agreed that this case shall be submitted to the Court for a decree upon the papers filed,

Thos. J. Keating
Solr for Compt
P. B. Hopper for Defts

Whereupon, on the said twelfth day of February in the year eighteen hundred and sixty seven, the said Circuit Court pass the following Decree, to wit:

Susan Cook
vs
On the Equity side of the Circuit
Court for Queen Anne's County
William McFeely and
John B. Hopper in the
name of McFeely & Hopper, &
Cammie W. Ashcom

This cause standing ready for hearing and being submitted without argument the proceedings were read and considered.

It is thereupon this day of in the year one thousand eight hundred and sixty seven by me, John M. Robinson and by authority of this Court, adjudged, ordered and decreed that the lot of land in the proceedings mentioned be sold for the purpose of partition between the parties according to their respective rights.

That, Thomas J. Keating of the town of Centerville, be and he is hereby appointed Trustee to make such sale and that the course and manner of his proceeding shall be as follows: He shall first file in the office of the Clerk for Queen Anne's County Circuit Court, a bond to the State of Maryland, executed by himself with a surety or sureties to be approved by said Clerk in the penalty of twelve hundred dollars conditioned for the faithful performance of the trust reposed in him by this decree, or which shall be reposed in him by any future order or decree in the premises; He shall then proceed to make sale of the said lot of land having first given three weeks public notice, by hand bills and in such other manner as he may think proper of the time, place, manner and terms of sale which terms shall be as follows: One hundred dollars of the purchase money to be paid cash on the day of sale and the balance thereof in six months from the day of sale, said balance to bear interest from the day of sale and to be secured by the bond of the purchaser with a surety or sureties to be approved by the Trustee.

And as soon as may be convenient after such sale the said Trustee shall return to this Court, a full and particular account of the same

with an affidavit of the truth thereof and of the fairness of such sale annexed, and on the ratification of such sale by this Court and on the payment of the whole purchase money and not before the said Trustee by a good and sufficient deed to be executed and acknowledged according to law shall convey to the purchaser or purchasers of said property and to his her and their heirs the property to him her or them sold, free clear and discharged of all claims of the parties to this cause, and of any person or persons claiming by, from or under them. and the said Trustee shall bring into this Court the money arising from said sale and the bonds or notes which shall be taken for the same to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit and such commissions 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.

Jno. M. Robinson

and on the eighteenth day of February in the year last aforesaid, the said Thomas J. Keating, the Trustee named in said decree, files in Court here, the following Bond with the endorsement thereon, to wit:

Know all men by these presents, that we Thomas J. Keating Thomas Ashcom of Queen Anne's County, in the State of Maryland, are held and firmly bound unto the State of Maryland in the full and just sum of twelve hundred dollars current money, to be paid to the said State of Maryland or its certain attorney: to which payment, well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents sealed with our seals and dated this eighteenth day of February in the year Eighteen hundred and sixty seven.

Whereas by a decree of the Circuit Court for Queen Anne's County as a Court of Equity, bearing date on the twelfth day of February eighteen hundred and sixty seven, and passed in a cause in which Susan Cook is Complainant and William J. Mc Feely and John B. Hopper in the name of Mc Feely & Hopper and Annie A. Ashcom are Defendants, the above bound Thomas J. Keating has been appointed Trustee to make sale of certain Real Estate in the proceedings in said cause mentioned.

Now the condition of the above obligation is such, that if the above bound Thomas J. Keating do and shall well and truly and faithfully perform the trust reposed in him by any future decree or order in the premises, then the above obligation to be void, otherwise to remain in full force and virtue in law.

Signed, sealed and delivered
in the presence of
John Palmer

Thos J. Keating
Thos. Ashcom



Approved and filed, Feb 18, 1867.

Samuel E. Byott, Clerk

and thereupon further process of and upon the premises aforesaid was continued until the twentieth ninth day of April in the year Eighteen hundred and sixty eight, on which said day the said Thomas J. Keating, the Trustee filed in Court here the following Report of Sale, to wit:

Susan Cook

vs

John B. Hopper and others

On the Equity side of the Circuit Court for Queen Anne's County.

To the Honorable the Circuit Court for Queen Annes County sitting in Equity

The Report of Thomas J. Keating, Trustee appointed by the decree in this Cause to make sale of certain Real Estate therein mentioned, shows that after giving bond with security for the faithful discharge of his trust as required by said decree, and giving notice of the time place manner and terms of sale by advertisements in the Centreville Observer a newspaper published in Centreville for more than three successive weeks before the day of sale and by hand bills extensively circulated throughout Queen Annes County he did pursuant to said notice attend at the Court House green in Centreville on Tuesday the nineteenth day of March in the year eighteen hundred and sixty seven at three O'Clock P.M. and then and there proceeded to sell said Real Estate as follows to wit:

Your Trustee offered at public sale to the highest bidder said Real estate consisting of all that vacant lot of ground known as the "Ashcom Lot" located on the corner of Liberty Street and Lawyers Row in the town of Centreville in Queen Annes County and fronting ninety four feet on Liberty Street and sixty six feet nine inches on Lawyers Row, and sold the same to John Palmer he being then and there the highest bidder therefor at and for the sum of four hundred and seventy two dollars and fifty cents, and that the said John Palmer paid to your Trustee the sum of one hundred dollars the amount of the cash payment as prescribed by said decree.

and your Trustee further reports that subsequently to said sale and the payment of the said sum of one hundred dollars the said John Palmer proceeded to improve said lot of ground by erecting thereon a substantial frame building, this making said Real Estate in the opinion of your Trustee ample security for the payment of the balance of said purchase money. And your Trustee is informed by said John Palmer that subsequently to said sale and after improving said property as aforesaid to wit: on the twenty eighth day of April eighteen hundred and sixty eight he the said John Palmer sold the entire interest and estate of him the said John Palmer in and to said Real Estate to Charlton H. Billingslea.

Queen Annes County, to wit: On this 28th day of April eighteen hundred & sixty eight before the subscriber a Justice of the Peace in and for said County, personally appeared Thomas J. Keating Trustee and made oath that the matters and things stated in the foregoing report are true to the best of his knowledge and belief and that the sale therein reported was fairly made
Thos. J. Keating Trustee
A. M. Mallett J.P.

Upon which said Report of sale the following order was passed to wit
Ordered this 29th day of April in the year Eighteen hundred and sixty eight, that the sale made and reported by Thomas J. Keating, Esquire, Trustee, to sell certain Real Estate of John B. Lapper and others, be ratified and confirmed, unless cause to the contrary thereof be shown, on or before the sixth day of June next; provided, a copy of this order be inserted in some newspaper printed in Queen Annes County; once in each of three successive weeks before the twenty third day of May next.

The report states the amount of sale to be \$472.50
James Hooters, Clerk

And on the day and year last aforesaid, the following petition was filed to wit:

Inter. Div. Susan Cook
J. P. vs
April 29 1868 John B. Hopper
2.00 and others

In the Circuit Court for Queen Annes County

The petition of John Palmer and Charlton W. Billingslea in this case to the Honorable the Circuit Court for Queen Annes County as a Court of Equity respectfully represents that the said John Palmer on the twenty eighth day of April eighteen hundred and sixty eight bargained and sold to the said Charlton W. Billingslea all the interest right title and estate of him the said John Palmer in and to all the Real Estate purchased by the said John Palmer from Thomas J. Keating Trustee to sell the Real Estate decreed to be sold by the decree in this cause consisting of the lot of grounds in Centreville described in the Report of said Trustee at and for the sum of Two thousand dollars and that the said Charlton W. Billingslea has fully paid to the said John Palmer the said purchase money of two thousand dollars and your petitioners pray that the said Charlton W. Billingslea may be substituted for the said John Palmer as the purchaser of said Real Estate and that the said Thomas J. Keating Trustee as aforesaid, be directed, upon the payment to him of the entire purchase money due to him as Trustee and upon the final ratification of the sale made and reported by him to convey to the said Charlton W. Billingslea, and to his heirs the property sold as aforesaid, free, clear and discharged of all claim of the parties to this cause and of the said John Palmer to said property.

John Palmer
C. W. Billingslea

And on the fourth day of May in the year last aforesaid, the court here passed the following order to wit:

Susan Cook
vs
John B. Hopper
and others

In Equity

Ordered on the foregoing petition that on the ratification of the sale made and reported by Thomas J. Keating, Trustee to sell the real estate in the proceedings in this case mentioned, and on the payment of the whole purchase money therefor and not before, the said Thomas J. Keating Trustee do and shall convey said Real Estate to Charlton W. Billingslea, and to his heirs free clear and discharged of all claim of the parties to this cause, and of John Palmer and of any person or persons claiming by, from, or under said parties or under the said John Palmer hereto.

May 2d 1868

J. A. Nicks

And on the twenty fifth day of June in the year last aforesaid, the said Circuit Court, passed the following order, to wit:

Susan Cook
vs
John B. Hopper & others

In the Circuit Court for Queen Annes County
In Equity

Ordered on this twenty fifth day of June in the year Eighteen hundred and sixty eight that the sale made and reported in this

Cause be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given as directed by the preceding order.

The Trustee is hereby allowed the usual Commissions and expenses, Joseph A. Nicks

and on the eleventh day of July in the year last aforesaid the following affidavit was filed to wit:

State of Maryland, Queen Annes County to wit:

I hereby certify that on this Eleventh day of July eighteen hundred and sixty eight before me the subscriber, a Justice of the Peace of said State in and for the County aforesaid, personally appeared Susan Cook and made oath on the Holy Evangelie of Almighty God that she knows Susan Ashcom widow of Thomas Ashcom Junior late of Queen Annes County, deceased, and that the age of the said Susan Ashcom is fifty years to the best of her knowledge and belief sworn before

A. M. Arnett J.P.

And on the fourteenth day of July in the year last aforesaid, Phil-emon B. Hopper, Esquire, the Auditor of said Court, files in Court here an audit, in the following words, to wit:

Susan Cook
vs
Mc Feely & Hopper
Barrie H. Ashcom

In the Circuit Court for Queen Annes County sitting as a Court of Equity.

To the Honorable the Judges of the Circuit Court for Queen Annes County.

The Auditor respectfully reports, that he has examined the proceedings in this cause and has therefrom prepared the following account between the Real Estate mentioned in the proceedings and T. J. Keating Trustee for the sale thereof, He has allowed to the Trustee his Commissions and expenses, to the Complainants and defendants each their costs of suit and to the Auditor his fee, The balance he distributed according to interests of the parties entitled, that is to say, to Susan Cook, thirds and the other he divided equally between the firm of Mc Feely & Hopper and Barrie H. Ashcom, first deducting therefrom the amount of dower interest of Susan C. Ashcom as laid down by Chancery Scale

All of which is respectfully submitted
P. B. Hopper Auditor
July 14 1868

Dr. The Real Estate of Susan Cook & others in acct with T. J. Keating Esq Trustee for the sale thereof Pr.				
1867				
19 th Mar	To the Trustee for his Commissions			33 07
	To the Trustee for his Expenses			11 00
	To the Complainants for their costs of suit viz			
	J. E. Noytt former Clerk	5	70	
	James Hesters	10	80	
	Solicitor	20	00	
	T. J. Sattenfield Sheriff		80	
	costs of Commission to take testimony viz			

Commissioner	4	10		
Witnesses	2	25		
Commissioner to appoint Guardian	4	00	47	90
To the Defendants for their costs of suit viz: S. E. Dyott, CLK	2	05		
James Hooters	2	20		
Solicitor	10	00	14	25
To the Auditor for his fee			4	50
To Susan Cook for $\frac{2}{3}$ of residue			241	18 $\frac{2}{3}$
To McFie & Hopper for $\frac{1}{6}$ of residue less dower of Susan P. Ashcom			52	76
To Carrie W. Ashcom for $\frac{1}{6}$ of residue less dower of Susan P. Ashcom			52	76
To Susan P. Ashcom for her dower in $\frac{1}{3}$			15	07 $\frac{1}{3}$
			472	50
1867 19 th Mar By amount of proceeds of Real Estate			472	50
			472	50

P. B. Hopper Auditor
July 14th 1868

And on the fourth day of August in the year last aforesaid, the Court here, pass an order ratifying the Auditors Report heretofore filed in this Cause, in the following words to wit:

Ordered, that the foregoing Auditors Report be ratified and confirmed, and the Trustee is directed to pay over the proceeds of sale in accordance therewith with a due proportion of interest received by him to such claim stated therein.

Jno. M. Robinson
Aug 4th 1868

Whereupon said cause was by order of the Court here, discontinued
S. E. Dyott
James Hooters, Clerk

Queen Anne's County, to wit: Be it remembered, that on the eighteenth day of June in the year Eighteen hundred and sixty six, Isaac L. Turner of Queen Anne's County, filed in the Circuit Court for Queen Anne's County his petition in the following words, to wit:

To the Honorable John M. Robinson Judge of the Circuit Court for Queen Anne's County.

The Petition of Isaac L. Turner of Queen Anne's County in the State of Maryland, to your Honor respectfully states that your Petitioner is insolvent and is willing and offers to deliver up for the benefit of his creditors all his property Real, Personal and mixed the necessary wearing apparel and bedding of himself and family and such other property as may by law be exempted from execution excepted, and your Petitioner exhibits herewith a schedule of said property and a list of the debts due from and owing to him with the names of his debtors and Creditors all verified by affidavit hereto annexed, and your Petitioner further states that he has resided in the State of Maryland for more than two years preceding the date of this Petition and that he has at no time within two years previous to this application been discharged under any insolvent law of the State of Maryland, and your petitioner prays to be released and discharged from his debts according to law and as in duty bound &c

Isaac L. Turner

A List of Debts owing to Isaac L. Turner the foregoing Petitioner with the names of his debtors and the amounts due by them respectively.

-None-

Isaac L. Turner

A Schedule of the property of referred to in the foregoing petition.
Real Estate

The Farm whereon the said Isaac L. Turner now resides containing 225 acres of land more or less, situate in Queen Anne's County and particularly described in a deed from James Woodall and wife to the said Isaac L. Turner duly executed and recorded in Liber S. E. D. No 1, folio 352, one of the Land Record Books of Queen Anne's County, as by reference thereto will more fully appear.

Personal & Mixed Estate

The growing Crops upon the aforesaid farm, Three horses, one Cow, mare and Colt, Wagon & Harness, Dearborn & Harness, Saddle & Cradle, Carriage & Harness, Wheat Mill, Wheat Machine, Grain Fan, Corn Shelter, Corn Part, Ox Part, Sleigh, Wheat Lake, Eight Ploughs, Two Cultivators, Two drag Harrows, Three Hogs, Seven Broodcows & Pigs.

Isaac L. Turner

A List of debts due from the foregoing Petitioner with the names of his Creditors and the amounts due to them respectively as far as he can recollect them.

Names of Creditors	Character of Debts	Amts of Indebtedness
Richard T. Earle	On mortgage by Jas Woodall wife assumed by Isaac L. Turner	\$3000. with interest & taxes due thereon
James Woodall	On mortgage	\$1500. with int & taxes
Joseph E. George	On Judgment	\$1400. 22 & int & costs
James Meredith	" do	\$418. 33 & int & costs
W. G. Townsend	" do	525. 53. with same

E. Lamabee & Bros	" do	119.79	" "
Sallie E. Bouan	" do	1061.00	" "
John H. Evans	bal on Judgment about	500.00	" "
James Whiting Ho	on Judgment	\$ 37.00	
James Merrick	" Bill of Sale	\$830.00	& interest
Miss Margaret E. Seddeman	" Note	\$700.00	& interest
James Hall holder of Note in favor of Easton Bank for		\$1000.00	
John T. Wilson	on Note	\$200.	& interest
W. J. Simmett	bal on Note	\$50.00	& int
Robert Jarrell	on account	\$168.00	
William Foster	" "	\$ 75.00	
Easton Bank of Maryland,	on note	1000.00	& int
Francis Turner	on Check	300.00	
Jesse Comegys	Note	100.00	
Anns of J. B. Thomas decd.	note	114.00	& int
Alexander Fallowfield	due bill	60.00	
Mrs. Battenfield	Note	50.00	
Joel Clements	bal on account	25.00	
Dr. L. H. Beatty	on account	50.00	

I. L. Turner

State of Maryland, Queen Annes County, to wit.

Be it remembered and I hereby certify that on this eighteenth day of _____ in the year one thousand eight hundred and sixty six before me the subscriber a Justice of the Peace of the State of Maryland, in and for Queen Annes County aforesaid personally appeared Isaac L. Turner the within named Petitioner and made oath on the Holy Evangelii of Almighty God that the foregoing list of debts owing to him and schedule of his property, contain a true statement of all the debts and property to which he is in any way entitled, the necessary wearing apparel and bedding of himself and family and such other property as is by law exempted from execution, excepted, - that the annexed list of debts owing to him contains a true statement of the names of his debtors and the amounts of their indebtedness so far as he can ascertain them, that the foregoing list of debts due from and owing by him contains the names of his Creditors and the amounts to which they are severally entitled so far as he can recollect them. And that he will deliver up and convey to such Trustee as the Circuit Court for Queen Annes County may appoint for the benefit of his creditors all the property, estate, rights and claims of every description, to which he is in any manner entitled, the necessary wearing apparel and bedding of himself and family and such other property as is by law exempted from execution excepted, and that he has not at any time sold, leased, transferred, or disposed of any part of his property for the use or benefit of any person or intrusted any part of his money or other property, debts, rights, or claims thereby to delay or defraud his creditors or any of them; or to secure the same, so as to receive or expect to receive any profit benefit or advantage himself therefrom, and that he has at no time within two years previous to this date been discharged under any insolvent law of the State of Maryland, and that he has for more than two years last passed been and is now a resident of Queen Annes County in the State of Maryland.

Sworn before and certified by
A. M. Arlett J.P.

Ordered, this eighteenth day of June one thousand eight hundred and sixty six on the foregoing petition of Isaac L. Turner for the benefit of the Insolvent Laws of the State of Maryland, that Mordecai Price and Frances Turner be and are hereby appointed Trustees for the benefit of the Creditors of the said Isaac L. Turner, and that the said Trustee give bond in the penalty of Thirty thousand dollars for the faithful discharge of their Trust.

Samuel E. Ryott, Clerk

In the matter of the Petition of Isaac L. Turner for the benefit of the Insolvent Laws of the State of Maryland

In the Circuit Court for Queen Anne's County

On application of Isaac L. Turner, a Petitioner for the benefit of the Insolvent Laws of the State of Maryland, it is on this eighteenth day of June one thousand eight hundred and sixty six hereby ordered and adjudged that the sixth day of November next be and the same is hereby fixed for the said Isaac L. Turner to appear before the Circuit Court for Queen Anne's County and answer such interrogatories and allegations and all questions which his Creditors, endorsees, and securities may propose or allege against him, and it is also further ordered that the said Isaac L. Turner give notice to his Creditors endorsees and securities of his said petition and the day set for his appearance before the said Court, by causing a copy of this order to be inserted once in each of three successive weeks in some newspaper printed in Centerville, Queen Anne's County three months before the said sixth day of November next

Samuel E. Ryott, Clerk

And on the day and year aforesaid, a Deed from the said Isaac L. Turner to the said Mordecai Price and Frances Turner, was filed for record, and on the same day and year was accordingly recorded, in the words following to wit


W. S. Arlett J.P.	W. S. Arlett J.P.	W. S. Arlett J.P.
I.	L.	J.
June 5.00	18" 3.00	1866 30cts.

This deed made this eighteenth day of June in the year one thousand eight hundred and sixty six by Isaac L. Turner of Queen Anne's County State of Maryland

Witnesseth that whereas by an order of the Circuit Court for Queen Anne's County dated on the eighteenth day of June eighteen hundred and sixty six and passed in the matter of the petition of the said Isaac L. Turner for the benefit of the Insolvent Laws of the State of Maryland, Mordecai Price and Francis Turner of said County were appointed Trustees for the benefit of the Creditors of the said Isaac L. Turner and whereas in compliance with the law in such case made and provided and in furtherance of the purposes of said petition the said Isaac L. Turner is about to execute these presents.

Now therefore and in consideration of the promises the said Isaac L. Turner doth grant unto the said Mordecai Price and Francis Turner as Trustees in trust for the benefit of the Creditors of the said Isaac L. Turner, all that farm or plantation whereon the said Isaac L. Turner now resides, situate in Queen Anne's County in the State of

Maryland containing two hundred and twenty five acres of land more or less and particularly described in a deed from James Woodall and wife to the said Isaac L. Turner duly executed and recorded in Liber S. E. D. No 1, folio 352, one of the Land Records of Queen Annes County, - also the crops of grain now growing upon said farm, also the following personal property to be found upon said farm to wit: Three Horses, one Cow, mare & Colt, Wagon & Harness, Dearborn & Harness, Purniags & Harness, Wheat Drill, Wheat Machine, Wheat Rake, Grain Fan, Corn Sheller, Corn Cart, Ox Cart, Sleigh, Eight Ploughs Two Cultivators, Two Drag Harrows, Three Hogs, Seven Broodcows & their Pigs, also all the property rights and claims of every description to which the said Isaac L. Turner is in any way entitled, the necessary wearing apparel and bedding of the said Isaac L. Turner and family and such other property as by law is exempted from execution excepted.

Test: Witness my hand and seal
A. M. Arlett Isaac L. Turner 

State of Maryland, Queen Annes County, to wit:
 I hereby certify that on this Eighteenth day of June eighteen hundred and sixty six before me the subscriber a Justice of the Peace of the State of Maryland, in and for Queen Annes County aforesaid personally appeared Isaac L. Turner and acknowledged the foregoing deed to be his act.

A. M. Arlett J.P.


And on the back of said deed, was thus endorsed, to wit: Received June 18th 1866, and recorded in Liber S. E. D. No 2, folios 350 & 351, one of the Land Record Books for Queen Annes County.

Samuel E. Duott, Clerk

And on the day and year aforesaid, the said Mordecai Price and Francis Turner, filed their bond in the following words to wit:

Know all men by these presents that we Mordecai Price Francis Turner ^{of the County of Queen Annes} Robert G. Price and Joel Thomas of Queen Annes County, in June 18th 1866 the State of Maryland, are held and firmly bound unto the said State of Maryland, in the full and just sum of Thirty thousand dollars current money, to be paid to the said State or its certain attorney; to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors and administrators jointly and severally firmly by these presents, sealed with our seals and dated this Eighteenth day of June in the year one thousand eight hundred and sixty six. Whereas the aforesaid Mordecai Price and Francis Turner have been appointed Trustees for the benefit of the Creditors of Isaac L. Turner Insolvent Petitioner and are about to give Bond for the faithful performance of their Trust,

Now the Condition of the above obligation is such that if the above bound Mordecai Price and Francis Turner do and shall well and truly and faithfully perform the duties required of them by law as Trustees as aforesaid, and shall collect dispose of and account for; and convey and deliver to such person or persons and in such manner as the Circuit Court for Queen Annes County shall direct, all the property and effects which they shall receive or which shall be conveyed and delivered to them as such Trustees and shall in all respects perform the lawful orders and directions of said Court in the premises, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered Mordecai Price 
 in the presence of

Samuel E. Dyott, Clerk

Francis Turner Seal
Mordcai Price Seal
Joel Thomas Seal

On which said bond was thus endorsed, to wit: Approved and filed this 18th day of June A. D. 1866, Saml E. Dyott, Clerk. Recorded in Liber M. B. No 1, folios 140 & 141, a Bond Record Book for Queen Annes County Samuel E. Dyott, Clerk

And on the fourth day of September in the year aforesaid, the following order of sale was passed, to wit:

Isaac L. Turner
His Creditors
In the Circuit Court for Queen Annes County
No 17 Petitions

In the matter of the Petition of Isaac L. Turner for the benefit of the Insolvent Laws of the State of Maryland, it is ordered this thirtieth day of August in the year Eighteen hundred and sixty six, by me John M. Robinson, Judge of the Circuit Courts in the Tenth Judicial district of the State of Maryland, that Mordcai Price and Francis Turner, Trustees appointed to sell the property of said insolvent Petitioner, shall after giving due and legal notice of such sale, published in some newspaper published in Queen Annes County and by hand bills - Sell the said property upon the following terms, that is to say the Real Estate Four hundred dollars cash & the residue of the purchase money in three equal instalments of six, twelve & eighteen months with interest, and the Personal property upon such terms as the said Trustees may deem best.

John M. Robinson

And afterwards to wit: on the first day of April in the year Eighteen hundred and sixty seven, Mordcai Price and Francis Turner, the Trustees of the said Isaac L. Turner, filed the following Report of Sales, to wit:

In the Matter of the Petition of Isaac L. Turner for the Benefit of the Insolvent Laws of the State of Maryland
In the Circuit Court for Queen Annes County

To the Honorable John M. Robinson Judge

The Report of Mordcai Price and Francis Turner, Trustees of Isaac L. Turner, an Insolvent Petitioner, shows, that after giving notice of the time place manner and terms of sale, by advertisements in the "Centreville Observer", a Newspaper printed at Centreville, for more than three successive weeks before the day of sale, and by hand bills extensively circulated throughout the Eastern Shore of Maryland, they did pursuant to said notice attend, at the residence of said Isaac L. Turner, in the Second Election district of Queen Annes County on Thursday the fourth day of October eighteen hundred and sixty six, at ten O'clock A. M. and then and there proceed to sell the following property to wit: They offered at Public Sale to the highest bidder the farm or Plantation whereon the said Isaac L. Turner resides, situate in the Second Election district of Queen Annes County, on the road leading from Church Hill to Beaver Dams and containing two hundred and twenty five acres of land more or less, and sold the same to William H. Jamell he being then and there the highest bidder therefor at and for the sum of six thousand two

hundred and ten dollars and they have since received from the said William H. Jamrell a cash payment of four hundred dollars and taken the bond of the said William H. Jamrell with James Merriett as his surety for the payment of the balance of said purchase money five thousand eight hundred and ten dollars in equal installments with interest thereon in six twelve and eighteen months from the day of sale. In the next place they offered at Public Sale the personal property set forth in the accompanying account of sales marked Exhibit A. and prayed to be taken as part of this report, and sold the same upon a Credit of six months with interest from the day of sale to the respective persons and for the respective sums designated in said account of sales marked Exhibit A., amounting in the aggregate to eighteen hundred and sixty three dollars and fifty eight cents and they have since taken the bonds of the respective purchasers with sureties for the respective amounts payable with interest six months from the day of sale. They also sold in Baltimore through Kenney and Tighman their Commission merchants on the fifteenth day of August eighteen hundred and sixty six three hundred and sixty one and three quarters bushels of wheat, and on the twentieth day of the same month, twenty nine bushels of wheat and received therefor as the net proceeds thereof one thousand and fourteen dollars and twenty two cents cash as will appear by accounts of sales marked Exhibit B. and Exhibit C. herewith filed and prayed to be taken as part of this Report.

And your Trustees further report that in the discharge of their duties it became necessary for them to and they have incurred considerable expense in securing and preparing for market the growing Crops, the proceeds of sale of which are set forth in the aforesaid Exhibits B. A. C. and also in cultivating and securing the growing Crops of Corn the proceeds of the sale of which are set forth in the aforesaid Exhibit A. for which expenses they shall pray to be allowed in the distribution of the trust funds.

Test

A. M. Arlett

And as in duty bound &c

Mordecai Price

Francis Turner

Queen Anne's County to wit:

On this twelfth day of February eighteen hundred and sixty seven before the subscriber a Justice of the Peace of the State of Maryland in and for Queen Anne's County aforesaid personally appeared the within named Mordecai Price and Francis Turner, Trustees, and made oath on the Holy Evangelists of Almighty God that the matters and things stated in the foregoing report are true to the best of their knowledge and belief and that the sales therein reported were fairly made

A. M. Arlett J.P.

Upon which, the following order was passed, to wit:

In the matter of the Petition of Isaac S. Turner, and Jacobson Petitioner

In the Circuit Court for Queen Anne's County

Ordered this first day of April eighteen hundred and sixty seven that the sales made and reported by Mordecai Price and Francis Turner Trustees in the above named Cause be ratified and confirmed unless cause to the contrary thereof be shown on or before the first day of July next, provided a copy of this order be inserted in some newspaper printed in Queen Anne's County once in each of three successive weeks before the first day of June next.

The Report states the amount of sales to be of Real Estate \$6210.00

of Personal Estate \$2877.30

Samuel E. Ingot Clerk

And on the ninth day of April in the year last aforesaid, the following order was passed, to wit:

In the matter of the Petition of Isaac L. Turner, an insolvent Petitioner In the Circuit Court for Queen Anne's County

Ordered, this 9th day of April 1867, that Mordecai Price and Francis Turner, Trustees in the above named Cause be, and they are hereby directed to give notice to the creditors of the said Isaac L. Turner, to file their claims, properly authenticated, with the Clerk of the Circuit Court for Queen Anne's County, on or before the first day of August next, by causing a copy of this order to be inserted in some newspaper published in Queen Anne's County aforesaid, once a week for three successive weeks before the first day of June next.

Jno. N. Robinson

And on the twenty sixth day of June in the year eighteen hundred and sixty eight, the Court here, passed the following order to wit:

In the matter of the Petition of Isaac L. Turner, for the benefit of the insolvent laws In the Circuit Court for Queen Anne's County

Ordered, this 26th day of June in the year 1868, that the sales of the real and personal estate of Isaac L. Turner, reported by Mordecai Price and Francis Turner, Trustees, be finally ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given as required by preceding order.

A. Wickes

And on the seventeenth day of July in the year last aforesaid, Philomen B. Kappeler Esquire, Auditor, filed in Court here, a Report and Audit as follows, to wit:

Isaac L. Turner vs His Creditors Petition for benefit of Insolvent Laws. In Cir Court for Queen Anne's County

To the Hon: the Judges of the Circuit Court for Queen Anne's County. The Auditor respectfully reports that he has examined the proceedings in this Cause and has thereon prepared the following acct A., and the accompanying acct "B" between the Real and Personal Estate of Isaac L. Turner and M. Price & F. Turner Trustees. In account A. he has simply ascertained and allowed in one view, all the Commissions and expenses due the Trustees whether from the Real or Personal Estate, and the costs of their proceeding and the Auditors fee. In acct B. he has divided the proceeds of sale of real Estate, charging this sum first with its proportion of the expenses and commissions of Trustees with the costs of suit of R. T. Earle brought to foreclose mortgage before the insolvency, and then applied the balance to the payment of the liens existing according to their legal priority. In acct C. he distributed the personal Estate in the same way, that is to say after deducting the commissions & expenses which that fund had to contribute he applied the balance to the liens existing upon it in the order in which they were entitled to. It will be

found that the balance allowed in acct "A" and the balances in Acct B, both of which were allotted to M. Price & Francis Turner were insufficient together for the payment of the claims, secured by the Mortgage to them. The Auditor did not suppose it necessary to divide it among the claims pro rata, as there was nothing to be accomplished thereby. The Auditor further reports, that some of the expenses were exclusively chargeable to the Real Estate, some exclusively to the personal estate, some to be proportionately borne between Real and Personal, and some of the expenses on personal estate to be borne by only a part of the personal estate. This was necessary because of the separate and independent liens on the several species of property. The Auditor thinks he has made a proper distribution of costs & expenses among the said different funds.

P. B. Kappeler Auditor
July 3rd 1868

Dr: The Real and Personal of Isaac L. Turner insolvent ^{ESTD} in acct with Mordecai Price & Francis Turner Trustees Cr:

1866				
Oct 4	To the Trustees for their Commissions 17 per ct,			636 14
	To the Trustees for all expenses upon land and personal estate			303 06
	To the Trustees for their costs in this proceeding viz			
	S. E. Dyott former CLK	4	75	
	Jas. Hooters CLK	11	25	16 00
	To the Auditor for his Fee			13 50
	To balance to be distributed in separate accounts B. & C.			8119 10
				<u>9087 80</u>
1866				
Oct 4	By amount of proceeds of Real Estate			6210 00
	By amt " " of personal estate excepting com			2336 80
	" " " Corn			541 00
				<u>9087 80</u>

Dr: The Real Estate of I. L. Turner insolvent in acct with Mordecai Price and Francis Turner Trustees Cr:

1866				
Oct 4	To the Trustees for their Commissions being part of those allowed in acct "C"			434 70
	To the Trustees for their expenses due solely from these funds and allowed in Expenses in acct A.			77 14
	To Trustees for proportion of costs of suit & Auditor's fee allowed them in acct "A".			20 17
	To Richard S. Earle for his Complainant's Costs on bill to foreclose mortgage vs Jas. Woodall wife & I. L. Turner	25	31	
	To the Trustees for their costs of suit in same case.	15	20	

	To James Headall & wife for their Costs of suit in same Case leaving \$5627.48. to be distributed as follows viz	10	00	50	51
	To Richard T. Earle for his Mortgage debt & interest & tax on Mortgage debt for 1865 & 1866, as per statement			582	52
	To James Headall for his Mortgage debt			3357	00
	To S. & G. H. Townsend for their Judgment			1655	60
	To R. T. Earle for his tax on Mortgage debt for 1867 not to draw any proportion of Int. till after Apr 65			578	73
	To this balance to be paid to M. Price and Francis Turner on their Mortgage to them from J. late Turner towards paying the Claims therein named.			24	90
				8	25
				6210	00
1866 Oct 14	By amount of proceeds of Real Estate.			6210	00
				6210	00

P. B. Hooker Auditor

Dr. The Personal Estate of J. L. Turner deceased in acct with Mordecai Price and Francis Turner Trustees Co.

1866 Oct 14	To the Trustees for Commissions included in their allowance of Commissions in acct A.			201	44
	To the Trustees for expenses on Personal Estate included in their allowance of expenses in acct A.			225	92
	To the Trustees for their Costs being proportion due from Personal Estate & included in their allowance of Costs in acct A.			9	33
	To M. Price & Francis Turner assignees of Ammerden & Crombie on Fi Fa filed			436	69
	To M. Price & Francis Turner assignees of N. H. Smith on Fi Fa filed.			22	74
	To John H. Evans on fi fa as per statement filed	683	21	683	21
	To N. H. Jarrell assignee of Jas Menmet on bill of sale of Corn filed, being net proceeds after deducting its proper proportion of the Costs of Suit & auditors fee & expenses chargeable to the personal fund.			490	73
	To M. Price & Francis Turner on their Mortgage filed from J. L. Turner to secure them from loss on account of their suretyship on claims therein named, which have been paid by them, and which sum is only in part charged	1229	67	1229	67
1866 Oct 14	By amount of proceeds of personal estate exclusive of Corn			2877	80
	By amount of proceeds of Corn			2336	50
				541	00
				2877	80

P. B. Hooker Auditor

And on the fourth day of August in the year last aforesaid, the Court here passed and order endorsed on the foregoing account "A" as follows, to wit:

Ordered that the foregoing auditors report be ratified and confirmed no cause to the contrary having been shown and the Trustees are directed to hand over the proceeds of sale in accordance therewith, with a due proportion of interest received by them, to each claim stated therein.

Wm. M. Robinson

Aug 4th 1868.

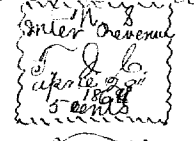
Know all Men that Powell F. Nickerson, by Lloyd Sighman Esquire, his attorney, declared against the said Thomas J. Chambers, in a plea of Trespass on the case in the words following to wit:

Maryland, Queen Annes County to wit:

Powell F. Nickerson, by Lloyd Sighman, his attorney, sues Thomas J. Chambers for that the defendant on the twenty eighth day of April in the year Eighteen hundred and sixty four by his promissory note now over due promised to pay to the order of the Plaintiff \$950.00 one day after date, but did not pay the same, and the Plaintiff claims \$1300.00

Lloyd Sighman
Atty for Pltff

The promissory note, mentioned and referred to in the foregoing declaration is as follows, to wit:

\$950.  One day after date I promise to pay to the order of Powell F. Nickerson, nine hundred and fifty dollars value received, Thomas J. Chambers

April 28th 1864

And on the day of filing the foregoing declaration, the following power of attorney was filed to wit:

To P. B. Kopper Esq
You are hereby authorized and empowered as my attorney to docket an action against me at the ensuing May term of the Circuit Court for Queen Annes County, at the suit of Powell F. Nickerson, to appear for me in said action, and confess a judgment against me for nine hundred and fifty dollars with legal interest from the date thereof, said judgment to be entered without stay.

M. S. Inter. Revenue S. E. D. May 2^d 1864

Witness my hand and seal this 30th day of April in the year 1864
Thomas J. Chambers

And thereupon the said Thomas J. Chambers voluntarily appears in court here, by Phoenix B. Kopper, Esquire, his attorney; and the said Thomas J. Chambers by his said attorney, says he cannot deny the action of the said Powell F. Nickerson, so as aforesaid against him brought, nor but that he owes the said Powell F. Nickerson the sum of nine hundred and fifty dollars, current money, in manner and form as the said Powell F. Nickerson within against him hath complained, besides his costs and charges by him about his suit in this behalf laid out and expended by him. And thereupon the said Powell F. Nickerson by his attorney aforesaid, prays judgment for his debt aforesaid, so as aforesaid confessed, as also for his costs and charges, by him about his suit in this behalf laid out and expended to him to be adjudged to him. Therefore, it is considered, by the court here, that the said Powell F. Nickerson, recover against the said Thomas J. Chambers as well the sum of nine hundred and fifty dollars, his debt aforesaid, as also the sum of five dollars and sixty eight cents, by the court here, unto the said Thomas J. Chambers on his great adjudged for his costs and charges by him about his suit in this behalf laid out and expended, and the said Thomas J. Chambers in Money &c.

Memorandum, Judgment was confessed in this cause on the second

day of May in the year eighteen hundred and sixty four for nine hundred and fifty dollars with interest thereon from the said second day of May until paid and five dollars and sixty eight cents costs of suit. And whereas afterwards to wit, on the twenty third day of October in the year eighteen hundred and sixty seven, the said Powell F. Nickerson, by his attorney aforesaid, sues forth out of the said Circuit Court, the writ of the State of Maryland of Scire Facias to the Sheriff of Queen Annes County directed, in the words and of the tenor following to wit:

The State of Maryland. To the Sheriff of Queen Annes County, Greeting
Whereas at a Circuit Court begun and held at Centerville in and for said County on the first Monday of May in the year eighteen hundred and sixty four, a certain Powell F. Nickerson, by Judgment of the same Court recovered against a certain Thomas J. Chambers as well the sum of nine hundred and fifty dollars, a certain debt, with interest thereon from the second day of May in the year eighteen hundred and sixty four, as the sum of five dollars and six-
ty eight cents for his costs and charges by him about his suit in that behalf laid out and expended, whereof the said Thomas J. Chambers is convict, as it appears of record, and now on behalf of the said Powell F. Nickerson in the said Court it hath been understood, that although the judgment aforesaid, in form aforesaid, is given; yet execution for the debt costs and charges aforesaid, still remains to be made for him, wherefore the said Powell F. Nickerson hath besought that a proper remedy be granted him in this behalf, and as it is right that those things which in the said Court are lawfully transacted, and adjudged, should be carried into due and speedy execution. You are therefore hereby commanded to give notice to the said Thomas J. Chambers, that he be and appear before the said Circuit Court to be held at Centerville in said County on the first Monday of November next, to show if he hath or can say anything for himself, why the said Powell F. Nickerson ought not to have his execution against him, for the debt costs and charges aforesaid, according to the force, form and effect of the recovery aforesaid, if he the said Powell F. Nickerson, shall think fit, and further to do and receive what the said Court shall then and there consider concerning him in this behalf, and have you then and there this writ.

Witness the Honorable John M. Robinson, Judge of the said Court the sixth day of May eighteen hundred and sixty seven.

Issued the 23rd day of October 1867. Samuel E. Dyott, Clerk

At which said first Monday of November in the year eighteen hundred and sixty seven, and the return day of the said aforesaid writ, comes into the said Circuit Court here, the said Powell F. Nickerson by his attorney aforesaid; and the Sheriff of Queen Annes County aforesaid, to whom the said writ was in form aforesaid directed, makes return thereof to the Court here, thus endorsed, to wit: "Countermanded by Plaintiffs Attorney S. J. Butterfield Esq." nevertheless the said Thomas J. Chambers, voluntarily appears in Court here by Philemon B. Hopper, Esquire, his attorney who files in Court here, a Power of attorney in the following words to wit:

To P. B. Hopper, Esq
You are hereby authorized and empowered as my attorney to cause the judgment confessed by me to Powell F. Nickerson at the May Term of the Circuit Court for Queen Annes County 1864 for 1950.00 to be received on a Scire facias, and without

stay, but to having two payments credited as per receipts to be furnished
Witness my hand and Seal this 9th day of October 1867
Test witness present at signing
Wm Burmister
Thomas J Chambers Seal

And hereupon, the said Powell F. Nickerson by his attorney aforesaid, prays execution against the said Thomas J Chambers for the debt, costs and charges aforesaid, in the writ of Scire Facias aforesaid mentioned, according to the force, form and effect, of the recovery aforesaid, to him to be adjudged &c. Therefore, it is considered by the court here, that the said Powell F. Nickerson have his execution against the same Thomas J Chambers for as well the debt costs and charges aforesaid, in the writ of Scire Facias aforesaid, mentioned, according to the form and effect of the recovery aforesaid, as the sum of seven dollars and fifty cents for his costs and charges by him sustained by the delay of the execution of the judgment aforesaid, by the default of the said Thomas J Chambers, and the said Thomas J Chambers in mercy &c.

And whereas afterwards, to wit, on the twenty sixth day of December in the year eighteen hundred and sixty seven, the said Powell F. Nickerson, by his attorney aforesaid, prosecuted and sued for, out of the Circuit Court here of and upon the judgment aforesaid, the writ of the State of Maryland of Scire Facias, to the Sheriff of Queen Annes County directed, in the words and of the tenor following, to wit:

The State of Maryland to the Sheriff of Queen Annes County, Greeting.
Whereas at a Circuit Court begun and held at Centreville in and for said County, on the first Monday of May in the year eighteen hundred and sixty four, a certain Powell F. Nickerson by judgment of the same Court recovered against a certain Thomas J Chambers as well the sum of nine hundred and fifty dollars, current money, of certain debt, with interest thereon from the second day of May in the year eighteen hundred and sixty four, as the sum of five dollars and sixty eight cents for his costs and charges by him about his suit in that behalf laid out and expended whereof the said Thomas J Chambers is convict, as it appears of record: And whereas also, at a Circuit Court for Queen Annes County begun and held at Centreville, in said County, on the first Monday of November, in the year eighteen hundred and sixty seven, it was considered by the said Court, that the said Powell F. Nickerson should have his execution against the said Thomas J Chambers as well for the debt, costs and charges aforesaid, as also for the sum of seven dollars and fifty cents, which to the said Powell F. Nickerson in the said Court was adjudged for his costs and charges which he had sustained by delay of the execution aforesaid, whereof the said Thomas J Chambers is likewise convict, as it appeareth of record: Therefore you are hereby commanded, that of the goods and chattels lands and tenements of the said Thomas J Chambers being in your bailiwick, you cause to be made and levied, the debt, and several costs and charges aforesaid, and have you those sums before the Circuit Court for Queen Annes County, to be held at Centreville, in said County, on the first Monday of May next, to render unto the said Powell F. Nickerson the debts costs and charges aforesaid. Hereof fail not at your peril, and have you then and there this writ. Witness the Honorable John M.

Robinson, Chief Judge of the Circuit Courts in the Second Judicial Circuit of Maryland, the fourth day of November in the year eighteen hundred and sixty seven.

Issued the 26th day of December 1867.

James Wothers, Clerk
And whereas afterwards, to wit, on the twenty fifth day of February in the year eighteen hundred and sixty eight, the said foregoing writ of Fieri Facias together with a schedule accompanying the same, was returned to the Clerk of the Circuit Court for Queen Anne's County by the Executor of the testament and last will of John R. Costin the Sheriff of Queen Anne's County aforesaid, to whom the said writ was in form aforesaid directed; the said John R. Costin Sheriff as aforesaid, having departed this life, without having made sale of the lands and tenements so as aforesaid taken in execution by virtue of the writ of Fieri Facias aforesaid.

The Schedule above referred to, is in the following words to wit:

A Schedule of the land and tennts of Thomas J. Chambers taken in execution Dec. 27/67. By virtue of one writ of fieri issued out of the Circuit Court for Q. A. Co. and to me directed, at the suit of Powell F. Nickerson against T. J. Chambers, I have seized, scheduled & taken in execution all of the said T. J. Chambers intrest in and to the following property to wit: One Farm whereon E. Hyatt now resides, on the road leading from Millington to Templeville, and containing 150 acres more or less, so taken to satisfy said writ and costs thereon.

Dec. 27/67

J. R. Costin, Shff

And whereas afterwards, to wit, on the twenty eighth day of February in the year Eighteen hundred and sixty eight, the said Powell F. Nickerson by his attorney aforesaid, prosecuted and sued forth out of the Circuit Court here, the writ of the State of Maryland of Venditioni Exponas, directed to the Sheriff of Queen Anne's County, in the words and of the tenor following, to wit:

The State of Maryland, to the Sheriff of Queen Anne's County, greeting
Whereas, at a Circuit Court for Queen Anne's County, begun and held at Kentreville, in said County, on the first Monday of May in the year Eighteen hundred and sixty four, a certain Powell F. Nickerson by judgment of the same Court, recovered against a certain Thomas J. Chambers, as well the sum of nine hundred and fifty dollars current money, a certain debt, with interest thereon from the second day of May in the year Eighteen hundred and sixty four, as also the sum of five dollars and sixty eight cents, for his costs and charges by him about his suit, in that behalf laid out and expended, whereof the said Thomas J. Chambers is convict, as it appears of record; and whereas also, at a Circuit Court for Queen Anne's County, begun and held at Kentreville, in said County on the first Monday of November in the year Eighteen hundred and sixty seven, it was considered by the said Court that the said Powell F. Nickerson should have his execution against the said Thomas J. Chambers as well for the debt, costs and charges aforesaid, as also for the sum of seven dollars and fifty cents, which to the said Powell F. Nickerson in the said Court was adjudged for his costs and charges which he had sustained by delay of the execution aforesaid, whereof the said Thomas J. Chambers is likewise convict, as it appears of record.
And whereas, on the twenty sixth day of December in the year Eighteen hun-

dred and sixty seven, command was given to John R. Costin the then Sheriff of Queen Anne's County, that of the goods and chattels, lands and tenements of the said Thomas J. Chambers, being in his bailiwick, he should cause to be made and levied the debt, and several costs and charges aforesaid, and have those sums, before the said Circuit Court to be held at Centreville, in said County, on the first Monday of May then next, to render unto the said Powell F. Nickerson the debt, costs and charges aforesaid.

And whereas the said John R. Costin in pursuance of the command in said writ contained, did take one farm, whereon E. Quatt now resides, on the road leading from Millington to Templeville and containing 100 acres more or less, the lands and tenements of the said Thomas J. Chambers in his bailiwick being, to satisfy unto the said Powell F. Nickerson, the debt and several costs and charges aforesaid in said writ mentioned; and whereas the said John R. Costin hath since died without having made sale of the said lands and tenements so as aforesaid taken in execution by virtue of the writ of Fieri Facias aforesaid, as appears by said writ of Fieri Facias, returned by the Executor of said John R. Costin to the Clerk of said Court; and on application of the said Powell F. Nickerson, it hath been ordered and directed, that a Venditioni Exponas be issued, directed to you John R. Story, commanding you to take into your possession the lands and tenements seized and taken in execution as aforesaid, and to sell the same at public sale.

Therefore, you are hereby commanded, to seize and take into your possession the lands and tenements so as aforesaid taken in execution, and the same you expose to sale, and the money therefrom arising, you have before the said Circuit Court, to be held at Centreville, in said County, on the first Monday of May next, to render unto the said Powell F. Nickerson, the debt, and several costs and charges aforesaid, and all such costs as have accrued on the writ of Fieri Facias aforesaid, and how you shall execute execute this writ, that you make known unto the said Court at the place and on the day aforesaid; and have you then and there this Writ.

Witness the Honorable John M. Robinson, Chief Judge of our said Court, the fourth day of November in the year eighteen hundred and sixty seven.

Issued, the 28th day of February 1868.

James Coolter, Clerk

Robert G. Rice
 Amiel Smith, Lewis R. S.
 Sullivan Smith, Rebecca
 P. Smith and Alice Smith
 Executors at Law and Administrators
 of the Estate of
 Amiel Smith deceased.

Bill of Complaint filed in the Circuit Court for Queen Anne's County, sitting as a Court of Equity, in
 Bill of Complaint against the said Amiel Smith
 James R. P. Smith, Sullivan Smith, Madison P.
 Smith and Alice Smith heirs at Law and Francis
 Smith Administrator of Amiel Smith deceased, in

the following words, to wit:

To the Honorable J. D. Howard, Chief of the Circuit Court for Queen Anne's County sitting as a Court of Equity.

The Bill of Complaint of Robert G. Rice of Queen Anne's County, who succeeds well for himself and all other Creditors of Amiel Smith late of said County deceased, who will come in and contribute to the expense of this suit; namely shows, that a certain Amiel Smith late of said County deceased was in his lifetime indebted unto one Nathaniel Leedridge in the sum of forty two dollars and thirty four cents on single bill with Henry C. Teroman Security; that the said Nathaniel Leedridge assigned the said single bill to one Samuel A. Richardson who obtained judgment thereon against Francis Smith Administrator of the said Amiel Smith, and that the said Samuel A. Richardson did afterwards assign the said judgment and note to your Honor, all of which will appear by Exhibits A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, and further charges that the said Amiel Smith being indebted as aforesaid and also indebted unto divers other persons in large sums of money and having real and personal estate of value, departed this life in the year Eighteen Hundred and Sixty, intestate and leaving Sarah Stephens Smith his widow, and Amiel Smith, James R. P. Smith, Sullivan Smith, Madison P. Smith and Alice Smith his Children and heirs at Law of whom the said Amiel Smith lived beyond the jurisdiction of this Court, but where your Honor is not informed, though when last heard from he was in the State of New Jersey, and the others to wit: J. R. P. Smith, Sullivan, Madison P., and Alice are Infants under the age of twenty one years and residents of Queen Anne's County and your Honor further charges that administration of real and singular the personal Estate of the said Amiel Smith have been granted by the Orphans Court of Queen Anne's County unto one Francis Smith of said County who in virtue thereof has possessed himself of the personal Estate left by the said Amiel Smith at the time of his death, and has applied the same to the discharge of the debts due by the deceased, as will appear by a copy of the dividend thereon made before the Orphans Court aforesaid, here with filed as a part of this Bill marked "Exhibit C,"

And your Honor is advised, that as the personal Estate of the said Amiel Smith deceased in the hands of his Administrator was insufficient for the payment of his debts, except in part as appears by the aforesaid dividend, account, and other matters, yet Creditors are entitled to have their Claims or the balances thereof paid out of the Real Estate of said deceased, in the hands of his aforesaid heirs at Law.

It is the Bill therefore that the said Defendants Administrator named, may answer the several matters and things herein before stated as fully and particularly as if they were being again repeated, and the said Defendants may therein especially interplead and that the said Real Estate of the said Amiel Smith be so much thereof as may be necessary for the payment of the balance of the debts due from the said Amiel Smith to your Honor and others, and that your Honor may have such further or other relief as his said Honor may think proper.

May it please your Honor to grant unto your Honor as aforesaid giving notice to the said Amiel Smith who is a non resident as before stated, of the substance

and object of this Bill, and warning him to appear in this Court in person or by solicitor
 on or before some certain day to answer the premises and show cause if any he has why
 a decree ought not to be made as proposed, and also writs of subpoena against the said James
 M. Smith, William Smith, Madison P. Smith and also Smith heirs at Law of the
 said Smith Smith decedent, and Daniel Smith Administrator of the said Smith decedent
 decedent, all of Quince Amos County, commanding them to appear in this Court at some certain
 day to be therein named, to answer the premises and abide by all judgments which shall
 may be given therein, and so in duty bound.

J. P. Proffer Holt,
 for Comptroller

The exhibits referred to in the foregoing recital of Complaint are as follows to wit:
 \$12.33
 For amount due nine months after date as provided to people not named know-
 ledge or order the sum of Seventy two dollars and thirty cents with interest thence from
 date.

At witness our hands and faces this 2nd day of January 1861

Amos Smith
 Henry A. Roman

State of Maryland, Quince Amos County, ss:
 On the 21st day of March, eighteen hundred and sixty two before the
 subscribers, a Justice of the Peace, in and for said County personally appeared James
 M. Richardson, and made oath, on the Holy Evangelical, Almighty God, that the
 above note as stated is just and true; and that, to the best of his knowledge and
 belief, no part or parts of the same has ever been, either directly or indirectly, paid, set-
 tled, or received, known before.

J. P. Hutch S. P.

Samuel Richardson Judgment confessed the 7th day of October 1862 in favor
 of Pff. for \$45.74 do. interest from date of Judgt. until
 Daniel Smith admr. of Amos Smith put. and costs paid.

Lydia S. Ramsey S. P.

For copy 10 cts.
 For actual receipt. Assigns all my right title, interests and claims to be within
 limits to effect of this and guarantees the same.
 July 1862.

Quince Amos County bet. Wm. Daniel Smith, Administrator of and
 against the goods chattels and personal estate of Amos Smith, late of Quince Amos
 County, decedent.

To balance due on 2nd account of Administration, settled on the 22nd of
 September 1863, appears

From which deduct the cost of making Statement of Claims, dividends \$48.00	\$220.28
Also for recording the Statement of Claims, and making 1 copy of dividends for Administrators	2.00
Also for the present cost of stating accounting for the dividends account	2.00
Also for the work of authenticating 10 claims against decedent's estate to be returned to each of the claimants as here paid them	2.00
Also for authenticating one A. Grand for authenticating notice for dividend	10.00
	\$15.76
	\$204.52

The foregoing balance divided among the creditors of the decedent will pay
 at the rate of sixty cents in the dollar, and to each in person, viz:

		Claims	Receiv'd
James H. Smith for Claim	No 1	\$303	\$1,225
George W. Foreman do do	No 2	70	24,26
George W. Foreman do do	No 3	25,20	15,12
		Am't carried forward	\$77,20
		Am't brought forward	\$77,20
George W. Foreman do for note	No 4	106,35	63,83
George W. Foreman do	No 5	32,34	19,46
Demetrius Richardson, use of Robert H. Price	No 6	30,02	30,01
William H. Beck do for claim	No 7	7,81	4,69
J. H. Huggins, assignee of Wm L. Gordon for claim	No 8	15,36	11,14
Wm L. Huggins do " claim	No 9	4,95	2,97
John Carson do " "	No 10	2,14	1,28
		\$345,97	\$204,52

Queen Anne's County Circuit Court. The foregoing exhibits were duly
 taken and examined, and appeared to be correct, and the same orders to be received, filed and recorded.

I hereby certify that the foregoing exhibits are true and correct copies of the original records on file
 in my office, I have hereunto set my name & affixed my official
 seal this 12th day of October 1864.

W. A. Johnson by this
 for Queen Anne's County

W. A. Johnson by this
 for Queen Anne's County

Whereupon a subpoena was issued for the said James H. P. Smith, Susan Smith,
 Maria T. Smith and Alice Smith, and Daniel Smith assignee
 of Amitt Smith according to the prayer of the complaint in the
 following words to wit:

County of Queen Anne State of Maryland to James H. P. Smith, Susan Smith,
 Maria T. Smith and Alice Smith, and Daniel Smith assignee
 of Amitt Smith late of Queen Anne's County deceased.
 Greeting, you are hereby commanded, that all persons do apart
 yourselves personally appear before the Circuit Court for Queen Anne's
 County, sitting as a Court of Equity to be held at Centerville, in said County on
 the first Monday of November next, to answer unto the complaint of Robert H. Price
 against you in the said Court exhibited.

Under penalty of law, if you will answer the contrary at your peril.
 Witness the Honorable James T. Quinn, Judge of the said
 Court, the twenty sixth day of October in year eighteen hundred and sixty four.

Daniel E. Ryall, Clerk

At which said first Monday of November in the year Eighteen hundred
 and sixty four, and the day of the return of the foregoing subpoena came into Court
 before the said James H. Price by his devisor aforesaid, and the Sheriff of Queen Anne's
 County to wit William H. Ford Esquire to whom the said aforesaid subpoena was
 in form aforesaid directed, make return to say to the Court and therein that he had
 taken the same and served the same on the seventh day of February in the year Eighteen hundred
 and sixty four, by order of the said Court a Commission was issued to David

... to appear in person or by agent to answer for the same. James H. P. Smith, Juliana, Smith, Madison B. Smith and Alice Smith. And on the third day of March in the year last aforesaid the following order of judicial sale passed to wit:

At the Court of Queen Anne's County
at Court and Administration
of Anne Smith dec'd

In the Circuit Court for Queen Anne's County

The Object of this Suit is to procure a decree for the sale of Anne Smith's deceased real estate lying and being in Queen Anne's County for the payment of his debts.

The Bill states that the said Anne Smith deceased was indebted to one Nathaniel Leverage in the sum of forty two dollars and thirty five cents which was assigned to Samuel A. Richardson who obtained judgment thereon and assigned the same to the Plaintiff, that the said Anne Smith had departed this life leaving real and personal estate of value, that administration on his personal estate was granted by the Superior Court of Queen Anne's County unto one Francis Smith who possessed sum of said personal estate and has applied the same to the payment of the debts due from the said Anne Smith at the time of his death, and that the same was insufficient for the payment of his debts exceeding the debt due the Complainant, and that considerable balances are due on said debts which it is alleged the real estate of the said Anne Smith is liable to pay. The Bill also sets forth that the said Anne Smith left a widow Sarah Aphonzo Smith, and Anne Smith, James H. P. Smith, Juliana Smith, Madison B. Smith, and Alice Smith his children and heirs at Law, all of which said children are infants under the age of twenty one years except Anne Smith who it is alleged is a non resident beyond the jurisdiction of this Court.

It is therefore adjudged and ordered that the Complainant by causing a copy of this order to be inserted in some newspaper published at Centerville in Queen Anne's County once in each of four successive weeks before the tenth day of July give notice to the said absent defendant of the object and substance of the bill and warn him to appear in this Court in person or by solicitor on or before the 20th day of July next to answer the premises, and show cause if any he has, why a decree ought not to pass as prayed.

Thos M. Robinson

And on the twentieth day of March in the year last aforesaid the said David H. Crane made return to the said Court of the execution heretofore issued to him in the words following to wit:

At the Court of Queen Anne's County set.
The State of Maryland to David H. Crane Esquire, of Queen Anne's County, Greeting. Whereas Robert G. Price has lately exhibited his Bill of Complaint in the Circuit Court for Queen Anne's County, as a Court of Equity, setting forth that a certain Anne Smith late of said County deceased was in her lifetime indebted unto one Nathaniel Leverage in the sum of forty two dollars and thirty five cents, as single bill with Henry A. Pereman, security, that the said Nathaniel Leverage assigned the said single bill to one Samuel A. Richardson who obtained judgment thereon against Francis Smith administrator of the said Anne Smith, and that the said Samuel A. Richardson did afterwards assign the said judgment and note to your Orotors all of which were appeared by exhibits A & B, herewith filed as a part of this bill, and your Orotors further charges that the said Anne

Similar being indebted as aforesaid, and also indebted unto diverse other persons in large
 sums of money and having Real and Personal Estate of value departed this life in the
 year Eighteen hundred and sixty, intestate, and being duly administered with according
 and Amitt Smith, James K. P. Smith, Julianna Smith, Madison B. Smith and Alice
 Smith, his Children and heirs at Law, and further charges that administration of
 all and singular the personal estate of the said Amitt Smith hath been granted
 by the Orphans Court of Queen Annes County unto one Daniel Smith of said County
 who in virtue thereof has possessed himself of the personal estate left by the said
 Amitt Smith at the time of his death, and has applied the same to the discharge
 of the debts due by the deceased, as will appear by a copy of the dividend thereon
 made before the Orphans Court aforesaid herewith filed as a part of the Bill, marked
 "Exhibit C," and your Orator is advised that as the personal estate of the said
 Amitt Smith deceased, in the hands of his administrator was insufficient for the
 payment of his debts, except in part as appears by the aforesaid dividends account,
 your orator and the other creditors yet unsatisfied are entitled to have their
 Claims or the balances thereof, paid out of the Real Estate of the said deceased, in
 the hands of his aforesaid heirs at Law. and whereas by our writ we have lately
 commanded the said James K. P. Smith, Julianna Smith, Madison B. Smith
 and Alice Smith, and Daniel Smith administrators to appear in our said Court
 at a certain day now past to answer unto the said Bill, but for as much as the
 said James K. P. Smith, Julianna Smith, Madison B. Smith and Alice Smith
 are infants under age, and cannot answer the said bill, nor defend this Suit with-
 out having a Guardian assigned in their behalfs, Be it therefore known that
 the said Court has given unto you full power and authority to assign and appoint
 a Guardian for said infants, and to take the answers of said infants by such guar-
 dian to the said bill, and you are hereby requested that on such day and place as
 you shall think fit, you go to the said infants, if they cannot conveniently come to
 you, and assign and appoint a guardian to said infants and take the answers
 of said infants to said bill, on such questions Corporal oath to be admin-
 istered by you upon the Holy Evangel of Almighty God, the said answers being
 distinctly and plainly written, and when you shall have taken said answers
 you are to send the same close under your hand and seal together with your
 Certificate of your having assigned such guardian as aforesaid, and this writ un-
 to the said Court.

Witness the Honorable John M. Robinson Judge of said Court the twenty third
 day of January in the year Eighteen hundred and sixty five
 Signed this 7th day of July 1865. Samuel S. Dyott, Clerk

To the Honorable John M. Robinson, Judge of the Circuit Court for Queen
 Annes County.

The subscriber being the Commissioner named in the annexed Com-
 mission hereby certifies that in the execution of the powers thereby vested in him
 he did on the thirtieth day of March 1865 proceed to the dwelling house of Jas.
 R. Loxeman in Queen Annes County, where the said James K. P. Smith, Madison
 B. Smith and Alice Ann Smith the infants named in said Commission then were
 and caused the said infants to be brought before me, and then and there in the pres-
 ence of the said infants, assigned and appointed John K. Porter of Queen Annes
 County, Guardian to said infants, and took the answers of said infants by their said
 Guardian, and under the oath of said Guardian by me administered to the Bill
 of Complaint in said Commission mentioned, which said answer with said
 Commission is herewith returned. Witness under my hand and seal this thirtieth

day of March 1865;

D. H. Crane

The answers of Jas. K. S. Smith, Madison B. Smith & Alice Ann Smith infants under the age of twenty one years by John H. Porter, their Guardian to the Bill of Complaint of Robert G. Price against them exhibited.

These defendants cannot admit any of the matters and things alleged in the said bill, and being infants of tender years submit their rights to the protection of this court.

John H. Porter, Guardian

State of Maryland Queen Anne's County, to wit:

On this thirteenth day of March 1865 the within named John H. Porter appeared before me Commissioner and made oath on the Holy Evangelical of Almighty God, that the matters and things stated in the foregoing answer are true to the best of his knowledge and belief.

D. H. Crane, Commissioner

One of the parties named in the foregoing commission, Juliana Smith, having arrived at the age of twenty one and married John H. Porter, it was deemed unnecessary to appoint her a guardian, or include her in the foregoing answer.

D. H. Crane Commr.

And on the twenty second day of July in the year last aforesaid, John H. Porter and Juliana Porter his wife formerly Juliana Smith, Armit Smith, and Daniel Smith Administrator of Armit Smith, by Lloyd Tilghman Esquire, their solicitor, file in court here, their answers to the aforesaid Bill of Complaint in the words following to wit:

So joint and several answers of John H. Porter and Juliana Porter his wife, formerly Juliana Smith and Armit Smith, to the bill of Complaint of Robert G. Price against them and others in the Circuit Court for Queen Anne's County.

These defendants admit the death of Jas Armit Smith, and that he left the said wife and heirs at Law, named in the said Bill and the possession of his Estate by the said Armit Smith deceased - They also admit that Daniel Smith became the administrator of the personal said Armit Smith deceased, but these Defendants have no knowledge of the extent of the said personal estate or of the insufficiency thereof to pay his debts, or any debts against the said Armit Smith deceased, and do hereby put the Complainers to the proof thereof respectively.

Lloyd Tilghman Solicitor for the Defendants named in this answer

The answers of Daniel Smith to the Bill of Complaint of Robert G. Price against him and others in the Circuit Court for Queen Anne's County exhibited.

This respondent admits that letters of Administration on the personal estate of Armit Smith deceased, were granted to him as alleged in the said bill, that he possessed himself of said personal estate and applied the same in due course of administration to the payments of the debts of said deceased, - and this respondent having no knowledge of any of the other matters and things set forth in the said Bill cannot admit the same, or any of them, and prays to be heard dismissed with his reasonable costs here.

Lloyd Tilghman Solicitor for Respondent

And on the day and year last aforesaid the following agreement was filed, to wit: In the Circuit Court for Q. A. Co

Armit Smith & others

It is agreed that a commission in this case to take testimony is issued to James Hooper

July 22nd 1865

J. B. Hooper Solr. for Compl't. Lloyd Tilghman, Solr. for Def'ts.

Whereupon a Commission was accordingly viewed in form following, to wit:
 Queen Anne's County to wit: The State of Maryland to James Hosters Esquire of
 Queen Anne's County. Greeting: To it knowen that you are appointed
 Commissioner to examine evidence in a cause depending in the Circuit
 Court for Queen Anne's County, between Robert H. Eric Complainant
 and Amitt Smith, James R. P. Smith, Julianne Smith, Madison
 B. Smith and Alice Smith heirs at Law, and Daniel Smith admr. of Amitt Smith
 Defendants. You are therefore hereby required, having first taken the oath hereto an-
 nexed, and after administering the annexed oath to all persons whom you shall ap-
 point as Clerks to attend the execution of this Commission, that at such time and
 place as to you shall seem convenient, you cause to, come before you, all such evidence as
 shall be named and produced to you, by either the Complainant or Defendants, and
 that you examine them on their corporal oaths to be by you administered upon the
 Holy Evangel of Almighty God, touching their knowledge or remembrance of anything that
 may relate to the cause aforesaid, and that you cause notice to be given to the parties
 or their Solicitors - of the execution of this Commission, before you execute the same, and hav-
 ing reduced the depositions of the witnesses so taken by you into writing, You send the same
 with this Commission closed under your hand and seal, to the said Circuit Court with all con-
 venient speed.

Witness the Honorable John M. Robinson, Judge of the said Court, the first day of May
 eighteen hundred and sixty five
 Issued this 22^d day of July A. D. 1865. Samuel C. Dyott, Clerk
 Commissioners Oath

You James Hosters shall according to the best of your skill and knowledge truly
 faithfully, and without partiality to any or either of the parties in this cause, take
 the examinations and depositions of all and every the witnesses, produced and examined
 by virtue of the Commission hereto annexed, upon the interrogatories, now or which may
 hereafter before the said Commission is closed, be produced to and left with you by either
 of the said parties.
 Sworn before Robert H. Byrnes Esq.

And you shall truly faithfully, and without partiality to any or either
 of the parties in this cause, take write down and transcribe the depositions of all and
 every the witnesses produced before and examined by the Commissioner named in the
 Commission hereto annexed, as far forth as you are directed and employed by the
 said Commissioner to take write down and transcribe the said depositions or any
 of them. So help you God.
 Sworn before

And on the fifteenth day of November in the year last aforesaid, the said James
 Hosters made return to the Court here, of the execution of said Commission as follows to wit:
 Robert H. Eric
 vs
 James R. P. Smith others
 In the Cir. Court for Queen Anne's County

Interrogatories to be proposed to Henry A. Forman a witness produced on
 the part of Complainant.
 1. Are you, or not acquainted with the parties to this suit, if yes, how long have
 you known them?
 2. Did you know the late Amitt Smith if yes, state or enquire the time he died
 and whether he left a widow, also whether the defendants named comprised all his
 children?

3. Did he die seized of Real Estate if yes, where situated and what its value?
 4. Look at the paper marked Exhibit A, and say whether you did not sign your name thereto as security for Amitt Smith and by his request, and if he did not acknowledge the said note to be due to Nathaniel Leavidge?

J. B. Kopper, Deft.
 for Complt.

Subscribed to be proposed to Samuel A. Richardson as witness on the part of Complainant.

Direct! Look at the paper marked "Exhibit A" now shown you. Did or not you sign the same assigned to you by Nathaniel Leavidge?

Direct, Look at the paper marked "Exhibit A" now shown you. Did you or not assign the said judgment to Robert S. Price, and is not the name Samuel A. Richardson to said assignment in your proper hand writing?

J. B. Kopper, Deft. for Complt.

To the Honorable John M. Robinson Judge of the Circuit Court for Queen Anne's County.

At the direction of the undersigned Commission issued out of the Circuit Court for Queen Anne's County and to my directed, empowering me to examine witnesses in a cause depending in the said Court, wherein Robert S. Price is Complainant, and Amitt Smith and others are Respondents, I James Westcott Commission therein named, having taken the oath annexed to said Commission did at Centerville, on the twentieth day of October 1865 (the usual notice being waived) proceed to take the following depositions.

Henry S. Foreman a witness of lawful age produced and examined on the part of the Complainant being duly sworn deposed and says,

To the first Interrogatory, that he knows all the parties and has known them for a number of years.

To the second Interrogatory, he knew Amitt Smith who died in 1862 or 1863 leaving a widow Sarah A. Smith, who is still living, and that the Defendant named herein at Row Campsie all the children of said Amitt Smith; and that James R. P. Smith one of said children departed this life in October 1865 under age and unmarried.

To the third Interrogatory, he did see seized of Real Estate situated in Quails Creek, Queen Anne's County and worth two thousand or twenty five hundred dollars.

To the fourth Interrogatory, that to the paper now shown him marked "Exhibit A" he did sign his name thereto as security for Amitt Smith and by his request, and said Smith did acknowledge the said note to be due to Nathaniel Leavidge.

Henry S. Foreman

Samuel A. Richardson as witness of lawful age produced and examined on the part of the Complainant being duly sworn deposed and says,

To the first Interrogatory that the paper now shown him marked "Exhibit A" was assigned to him by Nathaniel Leavidge.

To the second Interrogatory, that the paper now shown him, marked "Exhibit B" was assigned by him to Robert S. Price and he names Samuel A. Richardson to said assignment in the proper hand writing of Defendant.

Samuel A. Richardson

There being no other witnesses to be examined as a matter of duty leaving further time for the production of evidence, the Commission under the said Commission and herewith returns the same under his hand and seal the twentieth day of October 1865.

James Westcott
 Commission

Certs

Commission \$4.50
Witnesses 1.50 \$3.60

And on the twenty fourth day of November in the year of our Lord one thousand eight hundred and thirty four the following came to wit

Robert & Isaac

The Executors and Administrators of Amos Smith

In the Civil Court for Queen Anne's County, sitting as a Court of Equity

This Cause standing ready for hearing, and being submitted without argument, the proceedings were read and considered.

It is thereupon, this 24th day of November in the year Eighteen hundred and thirty four by John M. Robinson Judge, and by the authority of this Court, doth order and decree, that the real Estate mentioned in the foregoing bill be sold through as may be necessary, for the purpose mentioned in the Bill of Complaint. That J. D. Cooper of Queen Anne's County, do and he is hereby appointed Trustee to make such sale, and that the course and manner of his proceeding shall be as follows. He shall first file with the Clerk of this Court a bond to the State of Maryland, executed by himself, with a surety to be approved by this Court or by the Clerk thereof, in the sum of Five thousand dollars as condition for the faithful performance of the trust reposed in him by this decree, or which may be reposed in him by any future order or decree in the premises. He shall then proceed to make sale of the said Real Estate, having given first, at least three weeks previous notice, inserted in some newspaper printed in Queen Anne's County, and such other notice, as he may think proper of the time, place, manner and terms of sale, which terms shall be as follows. One hundred and fifty Dollars in cash on the day of sale, and the residue to be paid in three equal instalments in Six, twelve and eighteen months from the day of sale, the several payments to bear interest from the day of sale, and the payment thereof to be secured by the bond of the purchaser with a surety, or sureties to be approved by the Trustee; And as soon as may be convenient after any such sale or sales the said Trustee shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof, and of the fairness of such sale, and shall also make a duplicate of such sale, and on the payment of the whole purchase money (and not before) the said Trustee by a good and sufficient deed, to be executed and acknowledged according to Law, shall convey to the purchaser or purchasers of said property and to his, her or their heirs or assigns the property to him her or their full free clear and discharge of all claims of the parties to this Cause, and of any person or persons claiming by from or under them. And the said Trustee shall remit into this Court the moneys arising on such sale or sales, and the bond or bonds which may be taken for the same, to be disposed of under the direction of this Court after deducting therefrom the costs of this Suit, and such Commission to the said Trustee as this Court shall think proper to allow on consideration of the skill, attention and fidelity, which he may appear to have bestowed on his trust, and at the time of adjusting said sales the Trustee is directed to give notice to the Creditors of the said Amos Smith deceased to file their claims with the Trustee, or where thereof, within the term of three months in four months from the day of sale.

John M. Robinson

And upon the same day, to wit, on the twenty fourth day of November in the year Eighteen hundred and thirty four, the said John M. Robinson the Trustee named in said Court, did in and to the following Bond with the instrument thereon to wit.

... the ... of ... in ... the ... of ...
 ... the ... of ... in ... the ... of ...
 ... the ... of ... in ... the ... of ...

W. H. ...

... the ... of ... in ... the ... of ...
 ... the ... of ... in ... the ... of ...
 ... the ... of ... in ... the ... of ...

... the ... of ... in ... the ... of ...
 ... the ... of ... in ... the ... of ...

... the ... of ... in ... the ... of ...
 ... the ... of ... in ... the ... of ...

... the ... of ... in ... the ... of ...
 ... the ... of ... in ... the ... of ...
 ... the ... of ... in ... the ... of ...

...	...	122	75
...	...	58	00
...	...	20	00
...	...	9	75
...	...	22	00
...	...	2	70
...	...	4	00
...	...	4	10
...	...	75	
...	...	75	
...	...	50	35
...	...	10	00

E. C. Dyett, Clerk
 To Complement for each of Exhibits
 To the Auditor for his fees

To James Holding for Claims No 1
 To Garrison Bond " No 2
 To Henry A. Foreman " No 3
 To George M. Foreman " No 4
 To George Sizer " No 5
 To W. G. Price (Complainant) " No 6
 To Wm. B. Beck " No 7
 To J. H. Ruggold " No 8
 To H. T. Newcomb " No 9
 To Mrs. Casson " No 10
 To Geo. Bellance & E. Roberts " No 11
 To J. Edwin Roberts " No 12
 To J. W. Tronchard, assignee " No 13
 To Wm. Harlock " No 14
 To Nathan Chaise " No 15
 To this Balance to be hereafter distributed

	1	30	14	30
				03
			4	30
			280	91
			1	37
			41	02
			11	42
			48	64
			14	06
			22	68
			3	32
			19	75
			2	22
				97
			21	28
			3	49
			8	61
			6	96
			2	24
			298	56
			768	33
			150	00
			618	33
			768	33

1866

June 23

By amount of Cash, received on this day being day of Sale
 By this amount being principal of first instalment collected by Trustee

And on the thirtieth day of July in the year last aforesaid, the Court here pass an order ratifying the Trustee's Report of Sale, in the words following to wit:

Ordered this 30th July 1867 that the same within reported, be and the same are hereby ratified and confirmed, no cause to the contrary having been shown, although notice appeared to have been given as directed by the preceding order. The Trustee is allowed commissions by the Scale now adopted by this Court, and all expenses not provided.

Jno M. Robinson

And on the day and year last aforesaid the Court here also pass an order ratifying the Auditor's Report and report finds, in the words following to wit:

Ordered this 30th July 1867 that the within Auditor's report be ratified and confirmed, no cause to the contrary appearing, although it has been filed in Court for the regulated time, and the Trustee is directed to pay over the same and reported as allowed with a day proportion of interest to the claims allowed. The balance to be accounted for in separate account.

Jno M. Robinson

And thereupon further process of and upon the premises aforesaid, was by regular continuance and by order of the said Court, continued from term to term of the said Court until the third Monday of July in the year Eighteen hundred

and sixty eight, which said third Monday of July in the year last afore-
 said, came into Court here, the parties aforesaid, by their solicitors aforesaid, and
 the undersigned Thimonia B. Kopper Esquire, the Attorney of said Court, being in
 Court here, a record report and audit in the words following to wit:

Robert G. Pines
 The General Law
 Attorney of Smith Smith

In the Circuit Court for Queen Anne County
 sitting at the Court of Equity

The Honorable The Judge of the Circuit Court for Queen Anne
 County, sitting at the Court of Equity

The Auditor respectfully reports the following additional ac-
 count between the Real Estate mentioned in the proceedings and the Parties for the
 said record, after allowing to the Complainant and Respondents each their ad-
 ditional costs in the first account and the auditor's fee, he allotted to the mid-
 dle balance of the proceeds according to the Chancery Scale, and then divided the
 residue equally between the parties to the said account, to-wit: Juliana Ber-
 ton formerly Juliana Smith to R. G. Pines Esq. W. G. Morris for same according to
 order filed, of which is respectfully submitted.

P. B. Kopper
 Auditor July 15, 1868

By the Real Estate of Smith Smith & others in acct. with P. B. Kopper Auditor for said account

1868 June 23	To the Complainant for his out of pocket expenses of suit since 1st account	1	95
	To the Respondents for their out of pocket expenses of suit since 1st account	1	10
	To the Auditor for his fee in stating this account	1	00
	To Arch. Stephens Smith for her share of proceeds in lieu of dower	215	23
	To Smith Smith for his share of net proceeds of suit	201	88 1/2
	To Arch. Stephens Smith for his 1/2 of net proceeds	201	88 1/2
	To Juliana Ber-ton wife of John G. Ber-ton, formerly Juliana Smith for the use of R. G. Pines to pay the sum of \$30.00 with interest from Aug 7 1866 as per order filed, to pay R. G. Pines W. G. Morris the sum of \$175.00 with interest from March 1867 as per assignment & order filed.	201	88 1/2
	To Matthew G. Smith for his 1/2 of net proceeds	201	88 1/2
	To Arch. Stephens Smith for his 1/2 of net proceeds	201	88 1/2
		1535	22
1868 June 23	By amount of balance on 1st account	295	26
	" " of 5th of 2d account	1236	66
		1535	22

P. B. Kopper Auditor
 July 15, 1868

And whereas by writ under great seal of Great Britain, in the year Eighteen hundred and sixty eight the Court here pass an order ratifying the said second Report and Audit so as aforesaid made and filed in the Court following to wit:

Ordered the twenty fifth day of September, that the within Auditor's Report be ratified and confirmed, no cause to the contrary there appearing, the Trustees directed to pay over accordingly to the parties entitled with a due proportion of interest received to each.

Wm. Robinson

Whereupon said Cause was by order of the Court here discontinued.

Test

James Thomas, Clerk

Susan Connolly
 vs
 Thomas H. Connolly and
 Margaret Connolly

Be it remembered, That on the nineteenth day of January, in the year Eighteen hundred and sixty three Susan Connolly by John M. Robinson Esquire, her Solicitor, filed in the Circuit Court for Queen Annes County, a Bill in the Circuit Court of Equity, her Bill of Complaint against the said Thomas H. Connolly and Margaret Connolly, in the words and of the tenor following, to wit:

To the Hon. R. B. Carmichael, Judge of the Circuit Courts of Queen Annes County, in Equity

The Bill of Complaint of Susan Connolly of Queen Annes County, who sues as well for herself as all other creditors of John D. Connolly, late of said County deceased, who will come in and contribute to the expenses of this suit: Humbly shews: That a certain John D. Connolly, late of said County deceased, was in his lifetime indebted unto Louis N. Neal of said County, in the sum of thirty two dollars and ninety eight cents on his single Bill dated the twenty third day of November, in the year Eighteen hundred and fifty nine conditioned for the payment of said sum with interest thereon from said date to the said Louis N. Neal or his Order, on or before a day long since passed, and that the said L. N. Neal by his proper Endorsement assigned said single Bill and the amount due thereon to your Oratrix.

And your Oratrix further sheweth that the said John D. Connolly being indebted as aforesaid to the said Louis N. Neal and now to your Oratrix as assignee and to also unto diverse other persons in large sums of money departed this life some time in the year Eighteen hundred and sixty one leaving Margaret Connolly his wife surviving and Thomas H. Connolly his child an infant under the age of twenty one years his Heir at Law.

Your Oratrix further charges that the said John D. Connolly died without being possessed of any personal Estate of any value, and that there had been no administration on said Estate, but that he was seized and possessed of an undivided One fifth (1/5) interest in certain Real Estate situate in Queen Annes County and which descended to him from his father the late John Connolly and there being no personal Estate to satisfy the debt of your Oratrix and other creditors of the said John D. Connolly they are entitled to have their claims paid out of the said Real Estate situate in the hands of his Heir at Law as aforesaid.

To the End therefore that the said Thomas H. Connolly and Margaret Connolly may answer the several matters and things hereuntofore charged as fully and particularly as if they were thereunto interrogated and that the interest of the said John D. Connolly in the aforesaid Real Estate or so much thereof as may be necessary for the purposes aforesaid be paid by the payment of the claim of your Oratrix and of the other unpaid Creditors of the deceased, and that your Oratrix may have such other & further relief in the Premises as Equity may require. May it please your Honor to grant unto your Oratrix the writ of Subpoena against the said Thomas H. Connolly & Margaret Connolly of Baltimore City commanding them to appear in this Court at some certain day to be therein named to answer the premises & abide by and perform such decree as may be passed thereon and as in duty lies.

John M. Robinson
 Sol. for Compl't.

Whereupon Subpoena was issued for the said Thomas H. Connolly and Margaret Connolly in the words following to wit:

Maryland, Sec. The State of Maryland, to Thomas H. Connolly and Margaret Connolly of Baltimore City: Executors. You are hereby commanded that all excuses set apart, you personally appear before the Circuit Court for Queen Anne's County, sitting as a Court of Equity at Centreville in said County, on the fourth Monday of January instant, to answer unto the Complaint of Susan Connolly against you in the Bill and Exhibits hereof filed, not, as you will answer the contrary at your peril.

Witness the Honorable Richard B. Spurr, Judge of the said Court the thirtieth day of November in the year Eighteen hundred and sixty two, at the City of Baltimore, the 17th day of January, 1863.

(Return) Madison Brown, Clerk. At which said fourth Monday of January in the year Eighteen hundred and sixty three some into Court here the said Susan Connolly, by her Solicitor aforesaid, and the Sheriff of Baltimore City to wit: Edward R. Sparks, Gentlemen, makes return to the Court here of the aforesaid Subpoena, thus endorsed to wit: "Non Sum" E. R. Sparks, Sheriff. And whereas afterwards to wit: On the first day of March in the year Eighteen hundred and sixty four the said Susan Connolly, by her Solicitor aforesaid, prosecuted and sued forth out of the Circuit Court here, an alias writ of Subpoena, in the words and of the tenor following, to wit:

Maryland, Sec. The State of Maryland to Thomas H. Connolly and Margaret Connolly of Baltimore City: Executors. You are hereby commanded that all excuses set apart, you personally appear before the Circuit Court for Queen Anne's County, sitting as a Court of Equity at Centreville in said County on the first Monday of May next, to answer unto the Complaint of Susan Connolly against you in the said Bill and Exhibits.

Witness the Honorable Richard B. Spurr, Judge of the said Court, the first day of March 1864.

Samuel E. Dwell, Clerk. At which said first Monday of May, and the return day of the last aforesaid writ of Subpoena comes again into Court here the said Susan Connolly, by her Solicitor aforesaid, and the Sheriff of Baltimore City aforesaid, to wit: John I. Dwyer, Gentlemen, makes return thereof to the Court here, thus endorsed to wit: "Summoned and" John I. Dwyer, Sheriff. And afterwards to wit: On the twenty fifth day of April in the year Eighteen hundred and sixty four the following agreement was filed, to wit:

Susan Connolly
 Thomas H. Connolly,
 Margaret Connolly
 By the Circuit Court for Queen Anne's County
 In Equity

It is hereby agreed that a Commission shall issue to Rush Dwyer Esq. to assign a guardian for and take the answers of the defendants infants under the age of twenty one years in this case.

Whereupon a Commission was issued in form following, to wit:
 State of Maryland, Queen Anne's County, Sec.

The State of Maryland, to Rush Dwyer Esq. Squire of Baltimore City Residing. Whereas Susan Connolly of Queen Anne's County, State of Maryland, has lately exhibited her Bill of Complaint in

The Circuit Court for Queen Anne's County as a Court of Equity, setting forth that a certain John D. Connolly late of said County deceased, was on his life time indebted unto Lewis W. Neal of said County in the sum of one hundred dollars and ninety eight cents, on his single bill dated the twenty third day of November, in the year Eighteen hundred and fifty nine, conditioned for the payment of said sum, with interest thereon from said date to the said Lewis W. Neal or his Order, on or before a day long since past; and that the said L. W. Neal by his proper endorsement assigned said single bill, and the amount due thereon, unto the said John D. Connolly being indebted as aforesaid to the said L. W. Neal, and now to yeoman, Fratrix, and to also unto diverse other persons in larger sums of money, departed this life, sometime in the year Eighteen hundred and fifty one, leaving Margaret Connolly his wife surviving, and Thomas W. Connolly in a child, an infant, under the age of twenty one years his Heir at Law, further that the said John D. Connolly died without leaving any personal Estate of any value, and that there has been no administration on same, but that he was seized and possessed of an undivided one fifth interest in certain real Estate situate in Queen Anne's County, and which descended to him from his father the late John Connolly and there being no personal Estate to satisfy the debt of your Fratrix, and other Creditors of the said John D. Connolly they are entitled to have their Claims paid out of the Real Estate of the deceased, in the hands of his Heir at Law, aforesaid, And whereas by our writ we have lately commanded the said Thomas W. Connolly and Margaret Connolly to appear in our said Court at a day now past, to answer unto the said Debt, but for as much as the said Thomas W. Connolly is an infant under age, and cannot answer the said bill, nor defend this suit without having a Guardian assigned in that behalf.

It is therefore known that the said Court has given unto you full power and authority to assign and appoint a Guardian for said infant, and to take the answer of said infant by such Guardian to the said bill.

And you are hereby requested that at such day and place as you shall think fit, you go to the said infant, if he cannot conveniently come to you, and assign and appoint a Guardian to said infant, and take the answer of said infant to the said bill, on such Guardian's Corporal Oath to be administered by you upon the Holy Evangelists of Almighty God, the said answer being distinctly and plainly written, and when you have taken said answer you are to send the same enclosed in your hand and Seal, together with your Certificate of your having assigned such Guardian as aforesaid, and this writ, unto the said Court.

Witness the Honorable John W. Robinson Judge of said Court, on first day of March in the year Nineteen hundred and sixty two.

Per my hand and Seal of the said Court, this first day of March 1862.

James G. White Clerk

And on the Eighteenth day of July, in the year last aforesaid the said Hugh Dacey Swain, made return to the said Court of the execution of said Commission, in the words following, to wit:

To the Honorable John W. Robinson Judge of the Circuit Court for Queen Anne's County.

The Subscriber being the Commissioner named in the annexed Commission hereby certifies that in the execution of the powers thereby vested in him he did on the fifteenth day of July 1862, proceed to the Office of Henry's Warehouse in Georgetown District, Baltimore City, where the said Thomas W. Connolly the infant named in said Commission, there was, and caused the said infant to be brought before me, and then and there in the presence of the said infant assigned and appointed Henry's Warehouse of the City of Baltimore, Baltimore

to said infant, and took the answer of the said infant by his said Guardian and con-
ter the oath of said Guardian by me administered to the Bill of Complaint in said
Commission mentioned, which said answer with said Commission is herewith returned
closed under my hand and Seal this fifteenth day of July 1665.

Laugh Davy Commissioner

The answer of Thomas K. Connolly infant under the age of twenty one years by
Henry C. Napham his Guardian, to the Bill of Complaint of Susan Connolly against
him exhibited.

This Defendant cannot admit any of the matters and things alleged in the said
bill, and being an infant of tender years, submits his rights to the protection of this
Court.

Henry C. Napham Guardian

July 15 1665. Sumon to by Henry C. Napham the Guardian, before me
Laugh Davy Commissioner

And on the twenty second day of July in the year last aforesaid, the said Mar-
garet Connolly, came into Court here, by William C. Hopper Esquire his Solicitor
and filed her answer to the aforesaid Bill of Complaint, in the words following
to wit:

The answer of Margaret Connolly to the Bill of Complaint of Susan Con-
nolly against her and Thomas K. Connolly exhibited in the Circuit Court for
Queen Anne's County.

This Defendant admits the death of John K. Connolly, her leaving
this Defendant his Widow and Thomas K. Connolly his only child and that
he was seized and possessed of an undivided interest in certain real estate, all
of which are charged in the Complainants bill.

But this Defendant having no knowledge of the other matters and things
charged in Complainants Bill, she cannot admit them, but leaves the Complain-
ant to the proof of them, if they are as stated in said bill.

And this Defendant prays to be hence dismissed, with her reasonable costs for

W. C. Hopper
Soll for Defendant

And on the twenty fifth day of July, in the year last aforesaid, the following agree-
ment was filed:

Susan Connolly
Thos. K. Connolly
Margaret Connolly
On the Equity Side of the Circuit Court
for Queen Anne's County.

It is hereby agreed that a Commission shall issue to Wil-
liam C. Hopper, to take testimony in this case.

W. C. Hopper Soll for Comick
W. C. Hopper Soll for Defta

And on the twenty sixth day of July, in the year last aforesaid, a
Commission was accordingly issued in form following to wit:

Queen Anne's County, to wit: The State of Maryland, to William C. Hopper
of Queen Anne's County Esquire: Do it known that you are appointed
Soll Commissioner, to examine evidence in a cause depending in
the Circuit Court for Queen Anne's County, between Susan Con-

with the Plaintiff and Thomas P. Connolly and Margaret Connolly Defendants. You are therefore hereby required, having first taken the said oaths annexed and also administered the oaths to the persons whom you shall appoint as Jurors to attend the execution of this Commission that at such time and place as to you shall seem convenient, you cause to come before you, or such other place as shall be named and directed to you by either the Plaintiff or Defendants, and that you examine them on their respective Oaths to be by you administered upon the Holy Evangelists of Almighty God, touching their knowledge or remembrance of anything that may relate to the cause aforesaid, and that you cause notice to be given to the Parties or their Solicitors of the execution of this Commission before you execute the same, and having reduced the depositions of the Witnesses, so taken by you into writing, you send the same with this Commission directed under your hand and Seal to the said Court with all convenient speed.

Witness the Honorable John W. Robinson Judge of the said Court the first day of May Eighteen hundred and fifty five.
 Resued this 20 day of July A. D. 1855. *James D. Smith, Clerk*

Commissioners Oath
 You William P. Connolly shall accepting to the best of your skill and knowledge, truly faithfully and without partiality to any or either of the parties in this cause, take and examine and deposition of all and every the witnesses produced and examined by virtue of the Commission hereto annexed, upon the interrogatories now or which may hereafter before the said Commission are or shall be produced to and left with you, by either of the said Parties.
 Sworn before J. W. Smith, J.

Oath
 You shall truly faithfully and without partiality to any or either of the parties in this cause take down and transcribe the depositions of all and every the witnesses produced before and examined by the Commission named in the Commission hereto annexed, as far forth as you are directed and employed by the said Commission to take down and transcribe the said depositions or any of them. So help you God.
 Sworn before

And on the third day of October in the year last aforesaid the said William P. Connolly, made return to the Court here of the execution of said Commission as follows, to wit:
 Susan Connolly
 Thos. P. Connolly
 Margaret Connolly
 On the Equity Side of the Circuit Court
 for Queen Anne's County.

Interrogatories proposed to witnesses produced on the part of complainant.
 1st. Are you or not acquainted with the Parties to this Suit or either and which of them? If yes how long have you known them and each of them?
 2nd. Were you or not acquainted with one John D. Connolly formerly a resident of Queen Anne's County? Is he dead or alive? If dead when and where did he die?
 3rd. Was or was not the said John D. Connolly married at the time of his death? If yes who is his widow and where does she reside?

4th Did or did not the said John D. Connolly leave children? If yes, state how many, and the sex, name, age & residence of each.

5th Did or did not the said John D. Connolly die possessed of any personal Estate of any value? If yes, state in what said personal Estate consisted and the value of it.

6th Do you or not know of any real Estate of which the said John D. Connolly died seized and possessed? If yes, state in what said real Estate consisted and the present condition and value of the same.

7th Are you or not acquainted with the hand writing of the said John D. Connolly? If yes, look at the paper now shown you marked No 1, Is or is not the signature "John D. Connolly" thereto attached, in the hand writing of the said John D. Connolly? State the reason or ground for your opinion on this subject.

Thos. J. Keating
Solr. for Complt

Special Interrogatory to be propounded to witness produced on the part of the Complainant:

Are you or not acquainted with the hand writing of L. W. Nease? If yes, look at the paper now shown you marked No 1, Is or is not the signature "L. W. Nease" thereon, in the hand writing of the said L. W. Nease? State the reason or ground for your opinion on this subject.

Thos. J. Keating
Solr. for Complt

Special Interrogatory to be propounded to William A. Johnson, a Witness produced on the part of Complainant.

1st Are you or not Register of Wills for Queen Anne's County?
2nd State whether or not any application has been made at your Office for Letters of Administration upon the personal Estate of the late John D. Connolly, deceased? If yes, state by whom said application was made and whether or not any letters have been granted upon said Estate?

Thos. J. Keating
Solr. for Complt

To the Honorable John M. Robinson, Judge of the Circuit Court for Queen Anne's County.

At the Execution of the annexed Commission issued out of the Circuit Court for Queen Anne's County, and to me directed, empowering me to examine Evidence in a cause depending in the said Court, wherein Susan Connolly is Complainant and Thomas A. Connolly and Margaret Connolly are Respondents, I, William S. Connolly, Commissioner named therein, having taken the Oath thereto annexed, did, at Centerville, on the third day of October Eighteen Hundred and sixty five, the usual notice having been waived, proceed to take the following Depositions.

Thos. J. Keating, a Witness of lawful age produced and Examined on the part of the Complainant, to the 1st Special Interrogatory being duly sworn answers and says:

W. A. Johnson a Witness of lawful age produced and Examined on the part of the Complainant, to the first question of the 1st Special Interrogatory duly sworn deposes and says: That he is Register of Wills for Queen Anne's County, to the second question - and that no such application has been made to his knowledge.

W. A. Johnson

John C. Ryatt, a Witness of lawful age produced and Examined on the part of the Complainant, being duly Sworn deposes and says:

To the 1st Interrogatory he answers, and says he is acquainted with Susan & Margaret Connolly and has known Susan Connolly, the Plaintiff, from his childhood, and Margaret Connolly for the period some ten years to the second he was; - He is dead, - and he died at the residence of his mother in Queen Anne's County.

To the 3rd he was married at the time of his death. - Margaret Connolly is his widow: and she resides in Baltimore City Md.

To the fourth he believes he left one child, - a boy named Thomas D. aged about ten years and left in Baltimore City, with his mother having no acquaintance with said child he has only common report upon which to inform his opinion.

To the 5th he knows of no Personal Estate at the time of his death.

To the 6th he does of his interest in the and now held by Susan Connolly, which was one sixth of said said decedent's interest of Susan Connolly, which said interest was worth about Six hundred and Sixty Six dollars.

The 7th Interrogatory not put.

John C. Ryatt

William B. Legg, a Witness of lawful age produced and Examined on the part of the Complainant, deposes and says:

To the 1st Interrogatory he is acquainted with Susan Connolly only, the Complainant in this case; and has known her for thirty years.

To the 2d he adopts the answer of John C. Ryatt.

The 3d not put. - 4th Do. 5th Do.

To the 6th he adopts the answer of John C. Ryatt.

W. B. Legg

William O. Connolly a Witness of lawful age produced on the part of the Complainant, being duly Sworn deposes and says:

To the 1st 2d 3d 4th & 5th Interrogatories he adopts the answers of John C. Ryatt.

The 6th not put.

To the 7th he is, - it is the handwriting of said John D. Connolly, he has been familiar with the handwriting from his childhood, and has a personal knowledge of his signing the paper referred to.

William O. Connolly

There being no other Witnesses to be Examined, and neither party desiring further time for the production of Evidence, the Commissioner closed the said Commission and herewith returns the same under his hand and seal this third day of October, Eighteen Hundred and Sixty Six.

William O. Connolly
Commissioner

Costs:
Commissioner \$4.05
Witnesses 2.25
\$6.30

And afterwards to wit: On the thirtieth day of January, in the year Eighteen Hundred and Sixty Six, the Honorable Jam. M. Robinson, Judge of the Circuit Court for Queen Anne's County aforesaid, announced in open Court there, that he cannot sit as Judge at the aforesaid case, he having been Solicitor therein: Whereupon it is agreed by Thomas J. Neating, Esquire

who appears as Solicitor for the said Susan Connolly and Phlegmon B. Hopper Solicitor for the Respondents aforesaid, that John B. Brown, Esquire, be and he is hereby appointed, Special Judge, to try the said cause between the Parties aforesaid. And thereupon the said John B. Brown, Esquire, before the Clerk of the Circuit Court for Queen Anne's County aforesaid, in accordance with the provisions of the Constitution and Laws of the State of Maryland, did make oath on the Holy Evangelists of Almighty God, that he would try the above case now depending in the Circuit Court for Queen Anne's County, without partiality or prejudice, to the best of his ability, and on the thirty first day of January, in the year past aforesaid, the Honorable John B. Brown, Special Judge as aforesaid, passed a decree for the sale of the land referred, in the aforesaid Bill of Complaint, in the following words, to wit:

Susan Connolly
 or
 Thomas W. Connolly &
 Margaret Connolly

On the Equity Side of the Circuit Court
 for Queen Anne's County.

This Cause standing ready for hearing and being submitted without argument, the proceedings were read and considered.

It is thereupon this thirty first day of January, in the year One thousand Eight Hundred and Sixty six, by me John B. Brown, Special Judge of the Circuit Court for Queen Anne's County, in this Cause, sitting in Equity, and by the authority of this Court, adjudged, ordered and decreed, that the Real Estate of John B. Connolly, deceased, in the proceedings mentioned, or so much thereof as may be necessary for the payment of his debts be sold, that Thomas L. Keating of the town of Centerville be and he is hereby appointed Trustee to make such sales, and that the course and manner of his proceedings shall be as follows:

He shall first file in the Office of the Circuit Court for Queen Anne's County, a bond to the State of Maryland, executed by himself with a surety or sureties approved by said Court, in the penalty of fifteen hundred dollars, conditioned for the faithful performance of the trust reposed in him by this decree, or which may be reposed in him by any future order or decree in the premises; He shall then proceed to make sale of said Real Estate having first given at least three weeks notice inserted in some newspaper printed in Centerville, and such other notice, as he may think proper, of the time, place and manner and terms of sale, which terms shall be as follows: One Hundred and twenty dollars of the purchase money cash to be paid on the day of sale, and the balance of said purchase money to be paid in equal instalments in six and twelve months from the day of sale, the credit payments to bear interest from the day of sale, and the payment thereof to be secured by the bond of the purchaser, with a surety or sureties to be approved by the Trustee.

And as soon as made convenient after each sale, the said Trustee shall return to this Court a full and particular account of the same with an affidavit of the truth thereof, and of the fairness of such sale, annexed, and on the satisfaction of such sale by this Court, and on the payment of the whole purchase money, and not before, the said Trustee by a good and sufficient deed, to be executed and acknowledged, agreeably to Law, shall convey to the purchaser or purchasers of said property, and to his her or their heirs, the property to him her or them sold, full clear and discharged of all claim of the Parties to this cause and of any person or persons claiming, but from or under them, save and except the claim of Margaret Connolly widow of the said John B. Connolly, deceased.

and one of the Parties to the said Real Estate. And the said Trustee shall bring into the Court, the money arising on such sales, and the lands or lands which may be liable, and the same to be disposed of under the direction of the Court, and according thereto. The costs of the said and such Commission to the said Trustee as the Court shall think proper to allow in consideration of the said attention and fidelity whereunto he shall appear to have discharged his trust. And at the time of advertising said sales, the Trustee is directed to give notice to the creditors of the said John D. Connolly deceased, to file their claims with the receiver, in the Office of the Clerk of the Circuit Court for Queen Anne's County, within six months from the day of the

John D. Brown
 Justice Judge

And on the seventh day of February, in the year last aforesaid, the said Thomas J. Keating, the Trustee, named in said Record filed in Court, have the following Bond with the Endorsement, to wit:

Know all men by these presents, that we, Thomas J. Keating and John H. Perry of Queen Anne's County, in the State of Maryland are held and firmly bound unto the State of Maryland in the full and just sum of Fifty Hundred dollars, current money to be paid to the said State of Maryland or its certain Attorney, to which payment will and truly to be made and done we bind ourselves and each of us, our and each of our heirs, Executors and administrators, jointly and severally firmly by these presents, sealed with our seals and dated this Eighth day of February, Eighteen Hundred and Sixty Six.

Whereas by a decree of the Circuit Court for Queen Anne's County, sitting as a Court of Equity, bearing date on the thirteenth day of January in the year Eighteen Hundred and Sixty Six, and passed in a case in the said Court wherein Susan Connolly is Complainant & Thomas H. Connolly & Margaret Connolly are Defendants, the above named Thomas J. Keating has been appointed Trustee to make sale of certain Real Estate, in the proceedings in said Cause mentioned.

Now the Condition of the above Obligation is such, that if the above bounden Thomas J. Keating do and shall well and truly perform the Trust reposed in him by said Decree, or that may be reposed in him by any future decree or order of the premises, then the above Obligation shall be void, otherwise to remain in full force and virtue in Law.

Signed, Sealed and delivered
 in the presence of
 J. S. Wright

Witness

Thos J. Keating
 John H. Perry

Bond witnessed and filed February 7 1866. S. E. Matt. P. K.

And on the first day of March, in the year last aforesaid, the following agreement was made, to wit:

Margaret Connolly of Baltimore City, State of Maryland, widow of John D. Connolly, late of Queen Anne's County, deceased, do hereby authorize and empower Thomas J. Keating, Trustee appointed by Record of the Circuit Court of said County, to sell and dispose of my dower right in my late husband's share of an Estate advertised to be sold on Tuesday the fifth day of March next, and do hereby agree upon payment of the proceeds thereof to myself, or to Henry C. Ligham, my Attorney in Baltimore City to be made to the purchaser a deed of all my interest in aforesaid

Dated this 26th day of February in the year Eighteen Hundred and Sixty Six.

Margaret A. Connolly Widow
of John D. Connolly deceased

And on the twenty first day of June in the year last aforesaid the said Thomas J. Keating Trustee made the following Report of Sale to wit:
Susan Connolly

Margaret A. Connolly
Thomas A. Connolly
On the Equity Side of the Circuit Court for Queen Anne's County.

Honorable John B. Brown Special Judge

The Report of Thomas J. Keating Trustee

Appointed by the decree in this cause to make sale of certain Real Estate therein mentioned shows that after giving bond with security for the faithful discharge of his trust as required by said decree and giving notice of the time place manner and terms of sale by advertisement in the Centerville Aurora and the Maryland Citizen two newspapers printed and published in Centerville in Queen Anne's County for more than three successive weeks before the day of sale he did pursuant to said notice attend in front of the Court House at Centerville on Tuesday the sixth day of March Eighteen Hundred and Sixty Six between the hours of two and three o'clock P.M. and there and there proceeded to sell said Real Estate as follows to wit: Your trustee offered at Public Sale to the highest bidder One undivided fifth part subject to the dower right of Susan Connolly Widow of the late John D. Connolly deceased of the farm whereon William N. Connolly now resides situated in Queen Anne's County on the South side of the road leading from Chazy Mills to Hall's & Roads about three miles from the latter and two miles from the former place and joining the lands of Capt. Robert E. Shimmer and others and containing in the whole two hundred and ninety four acres of land more or less. And your trustee further states that previous to offering said property for sale that is to say on the first day of March Eighteen Hundred and Sixty Six Margaret A. Connolly widow of John D. Connolly deceased filed in this cause her written consent and authority to your trustee to sell said property free from the incumbrance of her dower therein agreeing to accept such proportion of the proceeds of sale of said property as shall be adjudged to be reasonable and that in pursuance of said consent and authority said sale was made free from the incumbrance of the dower of the said Margaret A. Connolly and your trustee then and there sold the one undivided fifth part (subject to the dower right of Susan Connolly widow of the late John D. Connolly deceased herein) of said farm to Robert C. Shimmer he being then and there the highest bidder therefor at and for the sum of One thousand and seventy five dollars and that the said Robert C. Shimmer has since paid to your trustee One thousand and twenty dollars of said purchase money in cash and given his bond with Benjamin J. Shimmer and William L. Starkey as his sureties for the payment of nine hundred and fifty five dollars balance of said purchase money in equal moieties with interest thereon in full and tender months from the day of sale. And your trustee further reports that at the time of advertising said sale he gave notice to the Creditors of the said John D. Connolly deceased to file their claims with the vouchers thereof in the office of the Clerk of this Court within six months from date of said notice.

This is respectfully submitted;

Thos. J. Keating Trustee

Queen Anne's County, to wit:

On this twenty first day of June, in the year Eighteen Hundred and sixty six before me the Superior & Justice of the Peace in and for said County personally appeared the within named Thomas J. Keating, Trustee and made oath that the matters and things stated in the foregoing paper are true to the best of his knowledge and belief, and that the sale therein reported was being made.

A. M. Brett Jr. Special Judge

Upon which the said Special Judge passed the following Order, to wit:

Juan Connolly
or
Margaret A. Connolly
Thomas W. Connolly

On the Equity Side of the Circuit Court for Queen Anne's County.

Ordered, this twenty first day of June, in the year One thousand eight hundred and sixty six that the sale of Real Estate made and reported by Thomas J. Keating Trustee, in this case be ratified and confirmed unless cause to the contrary be shown on or before the first day of October next. Provided a copy of this Order be inserted in some newspaper printed at Centerville or in each of three successive weeks before the first day of August next.

The report states the amount of Taxes to be \$1075.⁰⁰

John B. Brown
Special Judge

And thereupon further process of and upon the premises aforesaid was by regular continuances continued from term to term of the said Court until the first Monday of November in the year Eighteen hundred and sixty seven, at which said first Monday of November in the year aforesaid, comes into Court here the parties aforesaid by their solicitors aforesaid, and thereupon the following order was passed to wit:

Juan Connolly
or
Margaret A. Connolly
Thomas W. Connolly

In the Circuit Court for Queen Anne's County. As a Court of Equity.

Ordered this thirtieth day of November in the year One thousand Eight hundred and sixty seven that the sale of Real Estate made and reported by Thomas J. Keating, Trustee in this case be and the same is hereby ratified and confirmed, no cause to the contrary having been shown, although notice appeared to have been given as directed by a previous order passed on the twenty first day of June Eighteen Hundred and sixty six. The Trustee is allowed the usual Commission & expenses.

John B. Brown
Special Judge

And thereupon further process of and upon the premises aforesaid was by regular continuances continued from term to term of the said Court until the third Monday of July in the year Eighteen hundred and sixty eight, at which said third Monday of November comes into Court here the parties aforesaid by their solicitors aforesaid, and thereupon Silas B. Kepper, Esquire, called on for in Court here the following Report and Audit, to wit:

To Same	41	27
To J. E. Duest	6	20
To Margaret Connolly Underly of netl Proceeds	129	80
To Thomas N. Connolly, infant son of deceased at Law.	110	58
	1075	00
By Amount of Proceeds of Sale of the Real Estate as per Trustees Report of Same	1075	00
	1075	00

And on the fourteenth day of November, in the year last aforesaid, the following Petition was filed to wit:

Juan Connolly
 or
 Margaret A. Connolly
 Thomas N. Connolly
 vs
 On the Equity Side of the Circuit Court for Queen Anne's County.

vs
 The Honorable the Judges of the Circuit Court for Queen Anne's County, sitting in Equity
 The Petition of Tho. J. Keating in this case, respectfully sets forth that the bond of Robert B. Skinner and his Justices given on the sixth day of March, Eighteen Hundred and Sixty Six to your Petitioner as Trustee for the sale of the Real Estate mentioned in the Proceedings in this case was not paid at maturity - that after having repeatedly called on said Skinner for the payment of said bond, your Petitioner brought Suit, and obtained judgment thereon, and that the said Skinner on the twentieth day of October, Eighteen Hundred and Sixty Eight paid to your Petitioner the Principal and interest on said judgment amounting to Eleven hundred and Eight dollars and fifty nine cents. And your Petitioner further represents that by reference to the Auditors report filed in this case on the thirty first day of October Eighteen Hundred and Sixty Eight it will appear that your Petitioner neglected to claim and has not been allowed any Attorneys Commissions upon the money so collected by him as aforesaid.

Your Petitioner therefore prays to be allowed five per cent upon the said sum of Eleven Hundred and Eight dollars and fifty nine cents as Attorneys Commissions, and to retain on account thereof fifty five dollars and forty three cents out of the proportion of interest to be distributed by him to the Defendants Margaret A. Connolly and Thomas N. Connolly as in duty bound he

And on the day and year last aforesaid the Court here passed the following Order, to wit:

Ordered, this fourteenth day of November Eighteen Hundred and Sixty eight that the foregoing Auditors Report, be and the same is hereby ratified and confirmed, and the Trustee is directed to distribute the proceeds of the sale of the Real Estate therein mentioned, together with the interest received by him in accordance with said report. Except that the said Trustee is authorized to retain as Attorneys Commissions the sum of fifty five dollars and forty three cents out of the proportion of interest to be distributed to

the defendants Margaret A. Connolly and Thomas A. Connolly.
A. Wickes
Frederick Stamp

And on the fourteenth day of December, in the year last aforesaid,
the following petition was filed to wit:
Susan Connolly
vs
Thomas A. Connolly &
Margaret A. Connolly
In the Circuit Court for Queen
Anne's County. Sitting as a Court
of Equity.

To the Honorable the Judges of the Circuit Court for Queen Anne's County
Sitting as a Court of Equity.

The Petition of Andrew E. Warner Junior, of Baltimore City State
of Maryland humbly shews: That he has been duly appointed by the Orphans Court
of said City Guardian of Thomas D. Connolly, infant son of John D. Connolly, de-
ceased; and has given Bond as will appear by Exhibit herewith filed and mark-
ed "A". Your petition also shews that Margaret A. Connolly, the widow
of the said John D. Connolly is now dead, having recently departed this life
in the City of Baltimore aforesaid, that she died intestate and owed no debts at
the time of her death, and that the said infant is her only child, and heir at law.
He therefore prays your Honors to pass an order authorizing the Trustee to pay
the share of the said Margaret A. Connolly, as well as that of her infant son
the said Thomas D. Connolly as set forth in the Auditors Report in this cause
to your Petitioner as Guardian aforesaid and as in duty bound he

A. E. Warner Jr.
Guardian

State of Maryland Baltimore City to wit:

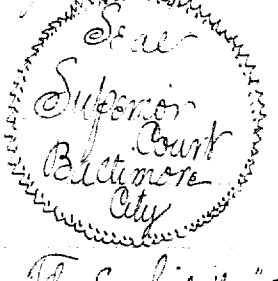
On this 2^d day of December A.D. 1868, before the Sub-
scriber, a Justice of the Peace in and for the City and State aforesaid, Es; gen-
ally appeared Andrew E. Warner Jr. and Henry C. Asham, who denied the
said Margaret A. Connolly in her lifetime; and both made oath that the
matters and things set forth in the foregoing Petition are true to the best
of their knowledge and belief.

J. N. Bayzard J.P.

State of Maryland Baltimore City, So:

I hereby certify that Wm N. Bayzard Esquire, before
whom the annexed affidavits were made, and who has thereto subscribed his
name, was, at the time of so doing, a Justice of the Peace of the State of Ma-
ryland, in and for the City of Baltimore, duly commissioned and sworn.

In testimony whereof, I thereto set my hand, and affix the Seal
of the Superior Court of Baltimore City, this 2^d day of
December, A.D. 1868,



Wm N. Bayzard
J.P.

George Robinson

The Exhibits referred to in the petition is as follows to wit: Clerk of Superior Court of Baltimore City
the State of Maryland. Baltimore, So.

The Subscriber, Register of Mills of Baltimore City doth
hereby certify, that it appears by the Record in his Office, that on the 3^d day
of December, in the year of our Lord one thousand eight hundred and sixty eight An-
drew E. Warner was appointed by the Orphans Court for Baltimore City, Guardian
to Thomas D. Connolly orphan child of John D. Connolly & Margaret A. Con-
nolly deceased, and the said Andrew E. Warner being then and there pres-

ent in said Court, received of the said Guardianship, and gave Bond with securities who were approved by the said Court, for the faithful performance of his duty as Guardian to the said Orphan, in the sum of Six hundred dollars in testimony whereof, hereunto subscribe my name and affix the Seal of my Office this 3^d day of December, in the year of our Lord Eighteen Hundred and Sixty eight.

Seal
Circuit Court
Baltimore
City

int. by
3/21/68

351

Norman Brown
Register of Wills for Baltimore, City

On which said Petition the following Order was passed to wit:
Ordered, this 12th day of December Eighteen Hundred and Sixty eight, on the foregoing Petition, that Thomas J. Keating Trustee for the Sale of the Real Estate of John D. Connolly deceased, by W. A. E. Warner Sen. Guardian for Thomas W. Connolly infant Son and heir at Law, of said deceased, the distribution share of the proceeds of sale of said Real Estate audited to the said Thomas W. Connolly in the Report of the Auditor filed and ratified in this case, together with the said Thomas W. Connolly's portion of interest received by the said Trustee,

And on the day and year last aforesaid, the following Agreement was filed to wit:

J. A. Connolly
Thos. W. Connolly &
Margaret Connolly

Commissioner

On the Equity Side of the Circuit Court for Queen Anne's County.

It is agreed that the testimony taken before the Commissioner in this case, shall be received and considered and any informality in taking the same is hereby waived.

Thos. J. Keating, Sol. for Compt.
P. B. Nopper, Sol. for Respondent

Carah Augusta Goldsborough
John B. Nopper

Be it remembered, that on the twenty third day of April, in the year Eighteen Hundred and Sixty six, Carah Augusta Goldsborough of Queen Anne's County in the State of Maryland filed in the Circuit Court for Queen Anne's County a promissory note Mortgage deed and Power of Attorney and Bond in the words and of the tenor following to wit:

For \$2000.
Six months after date I promise to pay to the order of J. A. M. Goldsborough two thousand dollars for value received, with interest from date.

Enter Recd.
J. B. N.
Aug 22^d
1866
\$2.00

Centerville, Maryland -
August 2^d 1866.

J. B. Nopper

This Mortgage made this twenty fifth day of October in the year one thousand eight hundred and fifty six by John B. Kopper and Anna L. Kopper of Queen Anne's County, in the State of Maryland, Whereas the said John B. Kopper is indebted unto Sarah Augusta Goldsborough wife of John N. Goldsborough upon note dated August 24th 1855 for Two thousand dollars with interest from date and payable six months after date as will appear by reference to said note which is duly stamped; and the said parties of the first part are willing to execute these presents to secure the payment thereof.

Now this Mortgage Witnesseth, that in consideration of the premises and of the sum of One dollar the said John B. Kopper and Anna L. Kopper his wife do grant unto the said Sarah Augusta Goldsborough her heirs and assigns in fee All that lot of ground on the East side of the back Street of Centreville Queen Anne County improved by a two story frame dwelling and outbuilding, and which was conveyed to the said John B. Kopper by John N. Wilmer and Jellie N. Wilmer his wife, by deed bearing date the thirteenth day of May Eighteen Hundred and fifty five duly executed and recorded in Liber S. C. D. No 1, folios 550 & 551 one of the Land Record Books for Queen Anne's County, and which said lot is more particularly described in said deed and the deeds therein referred to as will appear by reference thereto. Together with the improvements thereon and the rights and appurtenances thereto belonging. To have and to hold the property and premises above described and hereby conveyed with the rights and appurtenances aforesaid, unto the said Sarah Augusta Goldsborough her heirs and assigns, Provided that if the said John B. Kopper shall pay to the said Sarah Augusta Goldsborough her Executors administrators or assigns the said sum of Two thousand dollars with interest thereon at the time hereinafore limited for the payment of the same without any abatement or defalcation then this Mortgage shall be void and of no effect. But if default be made in payment of the mortgage debt aforesaid or any part thereof or of the interest thereon, then it shall be lawful for the said Sarah Augusta Goldsborough after thirty days to sell the said mortgaged premises at public sale at such time and place as she may think fit according to the provisions of Article 64 of the Maryland Code of Public General Laws relating to Mortgages such Sale to be upon the following terms: One half part of the purchase money to be paid in cash and the balance in two equal instalments of four & six months respectively with interest on the Credit payments from the day of sale having first given at least three weeks previous public notice by advertisements inserted in some paper published in Centreville Queen Anne County of the time place manner and terms of sale and in the event of a sale under the powers hereby granted the proceeds thereof shall be applied to the payment of all claims of the said Mortgagee her representatives or assigns under this Mortgage whether the same shall have matured or not. And it is agreed between the said parties that until default be made in the premises the said Mortgagee shall hold and possess the hereby mortgaged property and receive the rents and profits thereof upon paying in the mean time all taxes and assessments thereon and also the Mortgage Tax on the debt hereby secured which taxes assessments and likewise the said mortgaged debt the said Mortgagee or himself his heirs Executors, admin-

strators and assigns hereby covenant to pay when legally demandable, And the said John B. Kopper for himself his Executors and administrators with further covenant to insure and pending the Existence of this Mortgage to keep insured the improvements on the hereby mortgaged land to the amount of at least Twenty two Hundred and fifty dollars, and to cause the Policy, to be effected thereon or now effected thereon, to be so framed or indorsed as in case of fire to insure to the benefit of the said Sarah Augusta Goldsborough to the extent of her lien or claim hereunder.

Sest
N. M. Arlett.

Witness our hands and seals
John B. Kopper
Anna L. Kopper

State of Maryland, Queen Anne County

I hereby certify that on this 25th day of October in the year One thousand eight hundred and sixty six before me the subscriber, a Justice of the Peace of the State of Maryland in and for Queen Anne County aforesaid personally John B. Kopper & Anna L. Kopper and severally acknowledged the foregoing Mortgage to be their act.

And I further certify that at the same time before me also personally appeared Joseph W. Goldsborough Agent of the Mortgage within named, and made oath in due form of law that the consideration set forth in the said deed of Mortgage is true and bona fide and there in set forth, and further made oath that by the said Joseph W. Goldsborough is the Agent of said Mortgage, the said Sarah A. Goldsborough authorized by her to make the aforesaid oath as to the consideration of said Mortgage.

Witness my name the day and year aforesaid
N. M. Arlett, J.P.

M.S. Not. Pub. N. S. Arlett
A. M. A. A. M. A.
25 Oct 1866 25 Oct 1866
5 Cents 5 Cents

Know all men by these presents that the said Joseph W. Goldsborough and Sarah Augusta Goldsborough his wife of Queen Anne's County in the State of Maryland for diverse good and sufficient causes us hereto moving have made constituted and appointed and authorized persons to make constitute and appoint John B. Brown of said County and State Attorney for and in behalf of the said Sarah Augusta Goldsborough and in her name and for her own proper use and benefit to ask demand sue for recover and receive of John B. Kopper of said County and State the sum of Two thousand dollars with legal interest thereon from the second day of August last which is now due and owing by the said John B. Kopper unto the said Sarah Augusta Goldsborough by the said John B. Kopper and secured by the promissory note of the said John B. Kopper of the aforesaid date payable to the order of the said Sarah Augusta Goldsborough with legal interest thereon six months after date thereof and furthermore secured by a Mortgage of certain Real Estate therein described situated in Centerville District and acknowledged agreeably to law by the said John B. Kopper and Anna L. Kopper his wife bearing date the twenty sixth day of October of this year one thousand eight hundred and sixty six and recorded in Liber S. E. D. No 2. folios

M.S. Not. Pub. N. S. Arlett
J. N. S. J. N. S.
Mch 28 1867 Mch 28 1867
5 Cents 5 Cents

460 & 461. One of the Land Record Books for Queen Annes County
 aforesaid, and furthermore the said John B. Brown is fully authorized
 and empowered, as fully and completely, as the said Sarah Augusta
 Goldborough, could do, to sell the aforesaid mortgaged Real Estate to pay
 and satisfy the aforesaid sum of one thousand dollars and the inter-
 est thereon, in and by virtue of the power of sale, contained in said Mortgage
 and to that end to have and take all lawful ways and means in
 the name of the said Sarah Augusta Goldborough or the said Joseph N.
 Goldborough, or the said Sarah N. Goldborough, or otherwise, for
 the sale of said Real Estate, in compliance with and pursuance of the
 terms of the aforesaid power of sale and the provisions of Article 24,
 of the Code of Public General Laws of Maryland, relating to Mortgages,
 referred to in the foregoing Mortgage; and the said John B. Brown is au-
 thorized to make and sell and deliver sufficient acquittances and dis-
 charges for the aforesaid sum of money in the name of the said Sarah Au-
 gusta Goldborough and to do all lawful acts and things whatsoever, concerning
 the premises as fully in every respect as the said Sarah Augusta Gold-
 borough, or the said Joseph N. Goldborough and Sarah Augusta Gold-
 borough could or might do were she or they personally present.

In Witness our hands and seals this twenty eighth day of March Eight-
 teen Hundred and sixty seven.

Test
 J. M. Arlett. Joseph N. Goldborough
 S. Augusta Goldborough

State of Maryland, Queen Annes County, to wit:
 I hereby certify that on this 28th day of March
 1867 personally appeared before me, the subscriber a Justice of the Peace
 of the State in and for the County aforesaid, Joseph N. Goldborough
 and Sarah Augusta Goldborough his wife, and acknowledged severally
 the foregoing Power of Attorney to be their act and deed.

J. M. Arlett J.P.
 Now all men by these presents, that we Sarah Augusta Gold-
 borough, John B. Brown, George M. Smith and Madison Brown
 of Queen Annes County, in the State of Maryland, be held and
 firmly bound unto the said State of Maryland in the penalty of six
 thousand dollars, current money of the State of Maryland to be
 paid to the said State or to its certain attorney; to which payment
 well and truly to be made and done we bind, ourselves and each
 of us, our and each of our heirs, Executors and administrators jointly
 and severally, firmly by these presents, sealed with our seals and dated
 this thirtieth day of March Eighteen Hundred and sixty seven.

Whereas by a Mortgage bearing date the 25th October 1866, and
 recorded in Liber D. C. D. No 2, folios 460 & 461, one of the Land
 Record Books for Queen Annes County from John B. Kopper and anna
 B. Kopper, his wife, to Sarah A. Goldborough, the said Sarah A.
 Goldborough is authorized upon the happening of the default
 in the payment of the Mortgage debt or any part thereof, or the in-
 terest thereon in the manner in said Mortgage set out, thirty
 days thereafter to sell said Real Estate and whereas, said default has
 happened, and thirty days have transpired since the happening thereof
 and the said Sarah A. Goldborough, in the Execution of said power
 of sale is now about to make sale of the Mortgage premises, and

The 6th Section of Article 64 of the Maryland Code of Public General Laws, relating to Mortgages, requires that a bond shall be given to the State of Maryland, preliminary to such sale in such form and with such security, as shall be approved by the Judge or Clerk, of the Circuit Court of the County where the mortgaged premises are situate; and whereas the said Sarah Augusta Goldsborough is now about to give the bond required.

Now the condition of the above obligation is such that if the said Sarah Augusta Goldsborough shall well and truly abide by and fulfil any order or decree which shall be made by the Circuit Court for Queen Annes in Equity (being his County wherein the mortgaged premises are situate) or any other Court of Equity which may lawfully have jurisdiction in the matter, in relation to the sale of such mortgaged premises or the proceeds thereof, and shall fully indemnify and secure all persons interested in the said mortgaged property or the proceeds thereof according to the meaning and intent of the provisions of said Article 64 of the Maryland Code of Public General Laws, relating to Mortgages, then this obligation to be void: Else to be in full force and effect in Law.

Signed, Sealed and delivered in the presence of
N. S. Comolli

Sarah A. Goldsborough
John B. Brown
George M. Smith
Madison Brown

I am in truth principal in the above bond of G. M. Smith & Madison Brown sign as securities thereto by my procurement, Mrs. Goldsborough being a party thereto for mere strict compliance with the law.
Test: N. S. Comolli
John B. Brown

On which said bond was thus Endorsed to wit:

The within Bond, with Security approved
Saml E. Knott, Clk
Apr 23 1867

And, on this day and year last aforesaid, the said John B. Brown filed in said Court a Report of Sale of the said mortgaged property in the words and of the tenor following, to wit:

Sarah Augusta Goldsborough

John B. Kopper & Anna L. Kopper, his wife.

In Equity.

To the Honorable John M. Robinson, Judge of the Circuit Court for Queen Annes County, in Equity.

Sarah Augusta Goldsborough of Queen Annes County in the State of Maryland to your Honor respectfully sheweth, that in and by virtue of the power of sale contained in a Mortgage from John B. Kopper and Anna L. Kopper, his wife, bearing date the twenty fifth day of October Eighteen hundred and sixty six, and recorded in Liber S. E. W. No 2, folios 460 & 461, one of the Land Record Books for Queen Annes County, which said Mortgage is filed in this Cause, and sheweth to be taken in part of and accompanying this Report of Sale, that she the said Sarah Augusta Goldsborough, after default made in the payment of the Mortgage debt and the interest thereon and of any and every part

thereof, and after the expiration of thirty days from the commission of said default, she the said Sarah Augusta Goldborough, through John B. Brown her Agent and Attorney, proceeded to sell said Mortgages, premises in pursuance of the terms contained in the aforesaid Mortgage, and the provisions of Article 64 of the Maryland Code of Public General Laws, relating to Mortgages and she now presents the following Report of said Sale.

She sets forth that after having given bond to the State of Maryland in penalty and with sureties approved by the Clerk of this Court as will appear by reference to said bond, filed in this cause in compliance with the 6th Section of the aforesaid Article 64 of the Maryland Code of Public General Laws and after having given more than twenty days previous notice of the time, place, manner and terms of sale by advertisement in the Centreville Advertiser, a newspaper published in Centreville, and by hand-bills set up at the Court house door in Centreville and extensively circulated throughout Queen Annes County and the adjoining Counties, and by advertisements in the Maryland Citizen, a Newspaper also published in Centreville, she the said Sarah Augusta Goldborough, in the person of John B. Brown her aforesaid Agent and Attorney, did attend pursuant to the aforesaid notice in front of the Court House in the town of Centreville, Queen Annes County aforesaid, on Tuesday the twenty third day of April Eighteen Hundred and fifty seven between the hours of Two and Three o'clock P. M. and there proceeded to sell said Mortgages, premises at public auction to the highest bidder upon the terms designated in said Mortgage and accompanying notice of said Sale, which said notice is filed as part of this Report of Sale.

At which said Sale the said John B. Brown being then and there the highest bidder therefor, became the purchaser thereof, at and for the sum of Three thousand and one dollars and fifty cents and entitled to the Policy of Insurance relating to said property, and she the said Sarah Augusta Goldborough sets forth that said John B. Brown had complied with the terms of said Sale by the payment of the cash payment or sum of Fifteen hundred dollars and seventy five cents and in as much as there will remain a large surplus of the purchase money after satisfying said Mortgage debt interest and costs incident to this proceeding, the said John B. Brown purchaser has given his bond to the State of Maryland, in the penal sum of of Three thousand dollars with Madison Brown as security thereto, conditioned to pay the remaining half of the purchase money and interest thereon from the day of Sale in two equal instalments of four and six months thereafter to such Person or persons as this Honorable Court by its order shall direct.

And that said Sarah Augusta Goldborough brings here into Court the aforesaid Bond given by the said John B. Brown as part of this Report of Sale. All which is respectfully submitted.

Sarah Augusta Goldborough
John B. Brown
Agent & Attorney for
Sarah A. Goldborough

State of Maryland, Queen Annes County, to wit:

On this 25th April 1857 personally appeared before me, the subscriber, a Justice of the Peace of the State in and for the County aforesaid, John B. Brown, Agent and Attorney for Sarah Augusta Goldborough, named in the foregoing Report of Sale, and made affidavit in due form of Law that the matters and things stated in said Report of Sale are true.

and bona fide as therein set forth and that said Sale was fairly made to the best of his knowledge and belief.

A. M. Arnett, J.P.

State of Maryland. Queen Annes County town.

On this 26th April 1867 personally appeared before me the subscriber a Justice of the Peace of the State in and for the County aforesaid Sarah Augusta Goldsborough, named in a foregoing Report of Sale and made affidavit in due form of law, that the matters and things stated in the foregoing Report of Sale are true and bona fide as therein contained and that said Sale was fairly made to the best of her knowledge and belief.

Recd. A. M. Arnett
26th April
1867

Recd. A. M. Arnett
26th April
1867

The Bond referred to in the foregoing Report of Sale, is in the following words, to wit:

Know all men by these presents that we, John B. Brown and Madison Brown, are held and firmly bound unto the State of Maryland in the full and just sum of Three thousand dollars current money of the United States, to be paid to the said State or its certain Attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, Executors and administrators jointly by these presents sealed with our seals and dated this twenty sixth day of April, Eighteen Hundred and sixty seven.

Whereas the proceeds of Sale of the House & Lot in Centerville made on the 24th day of April 1867, by J. B. Brown as Agent for Sarah A. Goldsborough in virtue of the power in the Mortgage from John B. Kopper to her will amount to much more than sufficient to pay said Mortgage debt, and interest and the Expenses incident to said Sale and whereas the Cash payment of Fifteen hundred dollars & seventy five cents, required by the Mortgage & terms of Sale has been made by the said John B. Brown, the purchaser, leaving the like sum to be paid by him in two equal instalments of four and six months from the day of Sale, with interest on each instalment as it falls due.

Now the condition of the above obligation is such that if the above bounden John B. Brown his heirs, Executors and administrators do and shall well and truly pay the above sum of Fifteen hundred dollars and seventy five cents in two equal instalments of four and six months from the twenty fourth day of April Eighteen Hundred and sixty seven with interest on each instalment as it falls due to such person or persons as the Circuit Court for Queen Annes County shall by its order direct then this obligation to be void, and of no effect, else to be and remain in full force and virtue in Law.

Test:
A. M. Arnett

John B. Brown Seal
Madison Brown Seal

And thereupon the following order was passed to wit:

Ordered this 26th day of April 1867, that the Sale made and reported by S. Augusta Goldsborough, and John B. Brown Agent and Attorney for S. Augusta Goldsborough, under and by virtue of a Mortgage from John B. Kopper and wife, to the said S. Augusta Goldsborough, duly Executed and Recorded in the Office of the Clerk of the

Circuit Court for Queen Annes County, be ratified and confirmed unless cause to the contrary thereof, be shown on or before the 25th day of July next.

Provided a copy of the order be inserted in some newspaper printed in Queen Annes County, once in each of three successive weeks before the 25th day of June next.

The report states the amount of Sales to be \$3001.50

Samuel E. Dyott, CLK

And afterwards, to wit: On the thirtieth day of May in the year Eighteen hundred and Sixty eight the Circuit Court for Queen Annes County pass the following order to wit:

On the Circuit Court for Queen Annes County in Equity July Term 1867.

Ordered on this 30th day of May 1868, that the sale hereinafore reported be finally ratified and confirmed, no cause to the contrary thereof appearing, although notice appears to have been given in pursuance of the conditional order of ratification heretofore passed, in the cause. The Auditor will allow to John B. Brown, Agent and attorney for the Mortgage, who made the sale, the usual commissions allowed to Trustees making sales under decrees of Courts of Equity and the usual expenses allowed such Trustees.

J. A. Nickes
May 30 1868

And afterwards to wit: On the tenth day of December, in the year last aforesaid, James M. Segar, files in said Court, his petition in the words following to wit:

Sarah Augusta Goldborough

vs
John B. Kopper & Annie L. Kopper his wife

In the Circuit Court for Queen Annes County in Equity

To the Honorable Judges of the Circuit Court for Queen Annes County.

Your Petitioner, James M. Segar of Queen Annes County, State of Maryland, to your Honors respectfully sets forth, that as will appear by the accompanying Mortgage, Exhibit D, filed herewith as part of the petition, the said John B. Kopper, and Annie L. Kopper, his wife, executed and delivered to your Petitioner and one William M. Higgins, the said Mortgage to secure and indemnify them against loss and damage by reason of their Securityship on a note to John W. Palmer described in said Mortgage. He sets forth, that the land which has been sold in this cause is the land covered by the said Mortgage filed herewith, that the said John B. Kopper, has no other property to which your Petitioner and the said Wm M. Higgins can look for indemnity and that judgment has been reversed against them on the aforesaid note, in the Circuit Court for Queen Annes County, a copy of which is filed herewith marked Exhibit E. - And your Petitioner further sets forth that the lien secured by the Mortgage filed herewith is the preceding lien to the one on said property in account of which the sale in this cause was made, and your Petitioner sets forth that he is advised that it is the right of your Petitioner and the said William M. Higgins to have the proceeds of

the said mortgaged property applied to the payment of the said judgment in pursuance of the terms and provisions of Mortgage Exhibit B. after the payment of the costs of this suit & the satisfaction of the first mortgage debt for the payment of which the said property was sold.

Therefore your Petitioner prays your Honors to pass an order directing the Auditor after the allowance of all the costs of this suit and the expenses of sale and the satisfaction of the said mortgage under which the said property was sold, to apply the residue or so much thereof as may be necessary for the purpose to the payment of the judgment filed herewith (Exhibit E) in pursuance of the terms & provisions of Mortgage Exhibit B.

And as in duty bound

M. & John B. Brown
Atty for Petitioner

The Exhibits referred to in the foregoing petition, are in the following words, to wit:

This Mortgage, made this thirtieth day of October, in the year 1866 of our Lord one thousand eight hundred and sixty six by and between John B. Kopper and Annie L. Kopper, his wife of Queen Annes County, and State of Maryland, witnesses that whereas the said John B. Kopper by his note or obligation bearing date the twentieth day of May in the year Eighteen hundred and sixty five is indebted to John W. Wilmer in the sum of Eight hundred and thirty three dollars (\$8.33) bearing interest from date; and whereas James M. Jegar and William M. Higgins of the County and State aforesaid became the endorser or security on said note or obligation, and whereas the said John B. Kopper and Annie L. Kopper his wife, being desirous of securing and indemnifying the said James M. Jegar and William M. Higgins on account of said Securityship or endorsement hath agreed to Execute these presents. And the said John B. Kopper and Annie L. Kopper his wife, do grant unto the said James M. Jegar and William M. Higgins, their heirs and assigns, all that lot of ground, on the East side of the Back Street in the town of Centerville Queen Annes County, improved by a two story frame dwelling and outbuildings; and which was conveyed to the said John B. Kopper by John Wilmer and Fannie Kopper Wilmer by deed bearing date the thirteenth day of June in the year Eighteen hundred and sixty five, and recorded in Liber S.E.D. No 1, folios 550 & 551, one of the Land Record Books of Queen Annes County, as by reference thereto will more fully appear. We have and to hold the said lot of land, and every part and parcel thereof, with the appurtenances thereunto belonging to the said James M. Jegar and William M. Higgins, their heirs and assigns, to them and their own use and behoof; Provided always, and it is the true intent and meaning of these presents, and of the said parties hereunto, that if the said John B. Kopper, his heirs, Executors or Administrators do and shall well and truly pay or cause to be paid the above named note or obligation, with all interest that may accrue thereon, then this Mortgage is to be null and void, otherwise to remain in full force and virtue.

Witness
A. M. Arlett

Witness our hands and seals

J. B. Kopper
A. L. Kopper

State of Maryland Queen Annis County, to wit:

I hereby certify that on the 30th day of October in the year Eighteen Hundred and fifty six, before me the subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Annis County aforesaid, personally appeared John B. Koopper and Ammie G. Koopper his wife, and severally acknowledged the foregoing Mortgage to be their respective act for the purposes therein set forth.

A. M. Arlett J.P.

Queen Annis County, State of Maryland.

I hereby certify, that on the third day of November, in the year Eighteen Hundred and fifty six, before me the subscriber, a Justice of the Peace of the State of Maryland in and for Queen Annis County aforesaid personally appeared James M. Secgar and William M. Higgins the Mortgages named in the foregoing deed of Mortgage, and made oath on the Holy Evangelis of Almighty God, that the consideration set forth in the said deed of Mortgage is true and bonafide as therein stated.

A. M. Arlett J.P.

In the Circuit Court for Queen Annis County, May Term 1857

John W. Helmer
John B. Koopper
William M. Higgins & James M. Secgar

Sum &c
Judgment confessed the 6th day of May 1857 for \$726.85 with interest thereon from this day until paid, and costs of suit \$7.20 stay until 4th day of next Term
True Copy

Post of Copy 13 cts.

James Vosters, Clerk

And on the fourteenth day of December in the year last aforesaid, the petition of the said James M. Secgar, having been read and considered, the Court here passed the following order to wit:

In the Circuit Court for Queen Annis County, in Equity.

Ordered on this 4th day of December 1858 by the Circuit Court for Queen Annis County in Equity, and by the authority thereof, on the aforesaid petition, that the Auditor of this Court, he and he his clerks is directed upon being satisfied of the facts stated in the aforesaid petition to state an account in pursuance of the prayer of said petitioner - that is - of the satisfaction of the costs of suit and expenses of sale, and the satisfaction of the Mortgage debt and interest thereon under which the sale reported in the Cause was made, to apply the residue of the Sales or so much as may be necessary for the purpose, to the payment and satisfaction of the claim contained in Exhibits D. & E. filed with said petition.

J. A. Nickles

And afterwards to wit: on the nineteenth day of January, in the year Eighteen Hundred and fifty nine, Philemon B. Koopper, Esquire, Auditor filed in said Court an audit and account in the following words to wit:

Danah A. A. Scarborough
Mortgage.

John B. Koopper

In the Circuit Court for Queen Annis Co. Docket as a Court of Equity
Report of Sale under Mortgage

To the Honorable the Judges of the Circuit Court for Queen Anne's County, sitting as a Court of Equity.

The Auditor reports that he has Examined the papers and proceedings in this Cause and has therefrom prepared the following account between the Real Estate and the Mortgage thereof, in which account he has allowed all the costs of her proceeding to the Mortgage, to her against the Commissions and Expenses for making the sale, and to the Auditor his fee.

After which he applied the proceeds to the payment of the Mortgage debt with interest added to the day of sale, to the tax on Mortgage debt & to the taxes State & County paid by J.B. Brown Agent of Mortgage. The residue he applied to the judgment filed with the Petition of James Seegar, which was on a debt secured by Mortgage to the said Seegar and a William M. Higgins as per Copy of Mortgage filed the said residue being in part only of said Judgment.

All of which is respectfully Submitted

J.B. Hopper Auditor
 Jan'y 18. 1869.

Dr. The Real Estate of John B. Hopper (Mortgagee in deed with Sarah A. Goldborough Mortgagee Pr.)

1867 Apr 23	To Sarah A. Goldborough Mortgage for her commission S. E. Drott, late Clerk, James Haslens Clerk, Solicitor	21 05-		
	To J.B. Brown, Agent & Atty of Mortgage for his Comm't.	121 35-		
	To J.B. Brown " " " " for his Expenses	20 00	34	40
	To the Auditor for his fee			165 06
				34 25-
				4 50
				238 21
	To Sarah A. Goldborough for her Mortgage debt and interest to day of sale			2087 00
	To Sarah A. Goldborough for tax on Mortgage debt for 1867			24 20
	To J.B. Brown for taxes paid to John Perry with interest allowed to day of sale			26 75-
	To J.B. Brown for taxes paid to Am. Palmer with interest added to day of sale			31 44
	To James M. Seegar and Wm. M. Higgins in part of Mortgage to them to be applied to the judgment of John St. Wilmer vs J.B. Hopper, Wm. M. Higgins & James M. Seegar, Confessed 6 th May 1867; a copy of which is filed among the proceedings.			593 90
				\$ 3001 50
1867 Apr 23	By. Amount of proceeds of Sale of Real Estate as per Report of same by J.B. Brown Agent of Mortgage			3001 50
				3001 50

J.B. Hopper, Auditor, January 18. 1869.

And on the fifteenth day of February, in the year last aforesaid, the following Order was passed to wit:

James Term 1869.

Ordered, on this 15th Feb'y 1869, that the within Report of the Auditor be and the same is hereby finally ratified and confirmed, and the Mortgage is directed to pay over accordingly with a due proportion of interest on the claims allowed, as the same has been or shall be received.

Wm. M. Robinson

John Palmer
vs
George E. Stearns and
Elizabeth Stearns his wife

It is remembered, that on the thirty first day of March, in the year Eighteen Hundred and Sixty Eight, in accordance with the Provisions of the Code of Public General Laws of the State of Maryland, John Palmer filed in the Circuit Court for Queen Annes County, a Mortgage deed from the said George E. Stearns and Elizabeth Stearns, his wife, to the said John Palmer, in the words and of the tenor following to wit:

W. S. Stearns
n. s. Stearns
E. E. S.
E. S.
nov 8. 1866
E. Stearns

This Mortgage, made this Eighth day of November, in the year Eighteen hundred and sixty six by us, George E. Stearns and Elizabeth Stearns his wife, of Queen Annes County, in the State of Maryland, Witnesseth, that in consideration of the sum of Two hundred dollars now due from the said Elizabeth Stearns to John Palmer of the County and State aforesaid - the said sum of money being a balance of purchase money for the land and premises hereinafter granted and mortgaged wth the said George E. Stearns and Elizabeth Stearns his wife, do grant unto the said John Palmer all our right, title, interest and estate, in and to all that tract or parcel of land, called "Brotherhood", or by whatsoever name or names called, which is situated on the main road leading from Church Hill to Judenerville, in Queen Annes County aforesaid and which is particularly described by metes and bounds courses and distances in a deed conveying the same from the said John Palmer and his wife to the said Elizabeth Stearns, executed and delivered immediately before the Execution and delivery hereof as by reference thereto will more fully appear, in fee simple. Provided, that if the said Elizabeth Stearns shall pay or cause to be paid to the said John Palmer the sum of five hundred dollars in the following manner, to wit: The sum of Two hundred dollars part thereof with interest thereon on or before the first day of January Eighteen Hundred and sixty seven, the further sum of one hundred and fifty dollars other part thereof with interest thereon on or before the first day of January Eighteen hundred and sixty eight, and the residue sum of One hundred and fifty dollars residue thereof with interest thereon on or before the first day of January Eighteen hundred and sixty nine, then this Mortgage shall be void, and of no effect, but if default be made, in payment of the Mortgage debt aforesaid or any part thereof or of the interest thereon, at any of the days and times above limited for the payment thereof, then it shall be lawful for the said John Palmer his Executor, Administrators or assigns to sell the said mortgaged property at public sale, at such time and place as he or they may think fit, agreeably to the provisions of Article 64 of the Maryland Code of Public General Laws relating to Mortgages, such sale to be upon the following terms: The purchase money to the extent of the debt interest and cost thereunder

this Mortgage on the day of Sale to be paid in cash on the day of Sale and the balance in two equal instalments in six and twelve months from the day of Sale with interest from that day: and such Sale shall be made after three weeks public notice of the time place manner and terms thereof by advertisement published for three consecutive weeks in some newspaper printed in the town of Centerville in Queen Annes County aforesaid, and in the Court of a Sale under the powers hereby granted, the proceeds thereof shall be applied to the payment of all claims of the said John Palmer his representatives or assigns, under this Mortgage, whether the same shall have matured or not, and the balance if any, shall be paid to the said Elizabeth Gleaves; and it is agreed between the said parties, that until default shall be made in the premises, the said Elizabeth Gleaves shall have and possess the property hereby mortgaged, and receive the rents and profits thereof upon paying in the meantime all taxes and assessments thereon, and also all taxes assessments or public dues levied or to be levied, or assessed, under any existing or future law State or Federal on the debt hereby secured or the interest or income therefrom.

Test
 A. M. Mett
 Witness our hands and seals
 George E. Gleaves
 Elizabeth Gleaves

State of Maryland, Queen Annes County Court.

I hereby certify that on this eighth day of November in the year eighteen hundred and sixty six before the subscriber a Justice of the Peace of the State of Maryland in and for Queen Annes County personally appeared George E. Gleaves and Elizabeth Gleaves his wife and did each acknowledge the foregoing deed or Mortgage to be their respective act; and at the same time also appeared before me a Justice of the Peace as aforesaid John Palmer party mortgaged in and to the said deed or Mortgage, and made oath in due form of law, that the consideration in said deed or mortgage is true and bona fide as therein set forth.

with Recd
 A. M. Mett
 Justice

A. M. Mett J.

The foregoing Mortgage was thus endorsed, to wit:

Received Nov. 8th 1866, and recorded in Liber S. E. R. No 2, folios 472 and 473, one of the Land Record Books for Queen Annes County. per. James E. Dyott, Clerk.
 June 23. 1867. Or. by Cash \$159.32, & interest on the balance to 1 Jan'y 1868. John Palmer.

For value I assign within Mortgage to John B. Brown, Attorney proceeds to be applied to Judgment St. Tammany Lodge No 25. J. C. C. Fellows & balance to be applied to Judgment Eastern N. Bank of Md is, myself, in G. S. Q. A. Co.

Witness my hand & seal this 11th March 1868
 John Palmer.

And on the day and year aforesaid, John B. Brown, assignee of the said John Palmer filed in said court, a bond in the following words, to wit:

I shew all men by these presents that We, John B. Brown, George W. Smith and John W. Evans of Queen Annes County, State of Maryland, are held and firmly bound unto the said State of Maryland, in the penalty of One thousand dollars, current money of the said State of Mary

land, to be paid to the said State or to its certain Attorneys; to which pay-
ment well said truly taken made and done, we said ourselves and each of
us, our and each of our heirs, executors and administrators, jointly and
severally firmly by these presents, sealed with my seal and dated this
twentieth day of March Eighteen hundred and fifty eight.

Whereas, by a Mortgage bearing date the Eighth day of November
Nineteen hundred and fifty six, and recorded in Liber J. E. D. No. 1
folios 472 & 473, one of the Land Record Books for Queen Anne's County, from
George E. Stearns and Elizabeth Stearns his wife, to Sam Palmer; the
said Sam Palmer his heirs, executors, administrators and assigns, are author-
ized, in default of made in the payment of the mortgage debt aforesaid, or
any part thereof, or of the interest thereon at any of the days and times
limited for the payment thereof, to sell said real Estate at public sale at such
time and place as he may think fit, agreeably to the provisions of Article 64
of the Code of Public General Laws of Maryland relating to Mortgages: And
whereas said Article requires that a bond shall be given to the State of Mary-
land preliminary to such sale, in such penalty and with such security as shall
be approved by the Judge or the Clerk of the Circuit Court of the County
where the said Mortgage premises are situate; and whereas the said Sam Palmer
has constituted, John B. Brown, his Agent and Attorney, and made him his
Assignee for the purposes and of said Mortgage, to make such sale, and
the said John B. Brown is now about to give bond as required by said Ar-
ticle 64 of the Public General Laws of Maryland.

Now the condition of this obligation is such, that if the said
John B. Brown shall well and truly abide by and perform any order or
decree which shall be made by the Circuit Court for Queen Anne's County
in Equity, (being the County wherein the mortgaged premises lie) or any
other Court which may lawfully have jurisdiction in the matter in relation
to the sale of such mortgaged property or the proceeds thereof, and shall fully
indemnify and secure all persons interested in the said mortgaged prop-
erty or the proceeds thereof according to the intent and meaning of the
provisions of said Article 64 of the Maryland Code relating to Mortgages
then this Mortgage shall be void, else in full force and virtue in Law.

Test
Solomon Wright
John B. Brown
Geo. W. Smith
John H. Evans

On which said Bond was this endorsed, to wit:

"Saidly approved and Bond filed, the 31st day of March
1858, James Taylor, Clerk, Circuit Court for Queen Anne's County."

And on the second day of October in the year aforesaid, the said
John B. Brown filed in said Court, a Report of sale, of the said mort-
gaged property in the words and of the tenor following, to wit:

Sam Palmer
George E. Stearns &
Elizabeth Stearns his wife,
vs
On the Circuit Court for Queen Anne's
County in Equity.

To the Honorable Judges of the Circuit Court for Queen
Anne's County in Equity.
The Report of John B. Brown, Agent and Attorney
for Sam Palmer, Mortgagee named in the Mortgage on file among

the proceedings in this cause, and assignee of said Farmer, for the purposes endorsed on said Mortgage, to make sale of the premises described in said Mortgage, to your Honors respectfully sheweth: That after having filed with the Clerk of this Court his bonds to the State of Maryland, in penalty and with security approved by said Clerk according to law, and by reference thereto and the endorsement thereon will fully appear, (said being now among the proceedings in this cause,) and after default made by the Mortgagor in the payment of a part of the Mortgage debt secured by said Mortgage and the interest thereon according to the terms and provisions contained in said Mortgage - he proceeded to make sale of said mortgaged premises in pursuance of the power contained in said Mortgage as follows to wit:

After having given three weeks previous public notice of the time, place, manner and terms of said sale, (which terms were as follows: \$400 in cash on the day of sale, an amount estimated sufficient to cover unpaid principal, interest and costs under said Mortgage on the day of sale, and the residue in two equal instalments of six and twelve months from day of sale, with interest from day of sale and secured by the bond or note of the purchaser with approved security,) by public advertisement for three consecutive weeks in the Centreville Observer, a newspaper printed in Centreville, Queen Annes County, and by hand-bills extensively circulated throughout said County, he did pursuant to said notice attend, in the village of Church Hill, on Saturday, the fourth day of April, last, between the hours of two & three o'clock P. M. and there offered said mortgaged premises to the highest bidder at public auction and failed to sell, same on account of the meagre sum offered for same, therefor same being now about the sum of Five dollars or in the aggregate about Two hundred and fifty dollars: - he then proceeded to sell said property a second time upon the same terms and after three weeks previous public notice of said sale, of the time, place, manner and terms thereof by public advertisement for three consecutive weeks in the Centreville Observer aforesaid, and by hand-bills extensively circulated throughout Queen Annes County, aforesaid, in the town of Centreville, Queen Annes County, aforesaid, in front of the Court House, on Tuesday, the second day of June - last, between the hours of two and three o'clock P. M. at public auction: at which said sale, C. N. Billingsley of Stafford County being then and there the highest bidder therefor, was declared the purchaser thereof at and for the sum of Four hundred dollars, which said sum of money has been fully paid and satisfied, and the said C. N. Billingsley discharged therefrom.

The said John B. Brown further sheweth that since the sale, as aforesaid made by him, the said C. N. Billingsley has assigned, and set over to William S. Solloway his interest in said Real Estate as aforesaid purchased by him, as will fully appear by Exhibit A, filed as part of this Report of Sale, and that furthermore, accompanying this Report of Sale is the petition of C. N. Billingsley to this Honorable Court, praying that said William S. Solloway, may be substituted by this Court as the purchaser of said mortgaged premises in his stead.

Which is respectfully submitted.

John B. Brown
Clerk & Attorney &c.

State of Maryland, Queen Anne's County, to wit:

In this 2^d day of October 1868 personally appeared before me the subscriber a Justice of the Peace of the State in and for the County aforesaid John B. Brown above named, and made oath in due form of law that the matters and things stated in the aforesaid Report of Sale are just and true and that said Sale was fairly made.

P. M. Arlett J. P.

The Exhibit referred to in the foregoing Report of Sale, is in the words following, to wit:

For value received I hereby assign, transfer and let over to the C. W. B. use of William S. Solloway, of Queen Anne's County, State of Maryland. All my right, title, interest and estate either at law or in equity, in and to all that tract or parcel of land called Brotherhood or by whatsoever other name or names the same may be called or known, situate in the 2^d Election District of Queen Anne's County aforesaid, and particularly described in a deed of conveyance from John Palmer & wife to Elizabeth Leaves bearing date the day of November 1866, and recorded among the Land Record Books for Queen Anne's County, and purchased by me at public sale thereof made by John B. Brown, Agent for John Palmer, (Mortgagee, on the 2^d day of June 1868, for the sum of Four Hundred dollars.

Witness my hand and seal this Second day of October Eighteen Hundred and Sixty Eight.

W. A. M. Arlett

C. W. B. Billingslea

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this second day of October 1868 personally appeared before me the subscriber a Justice of the Peace of the State in and for the County aforesaid C. W. Billingslea the above named Petitioner and acknowledged the above instrument of writing to be his act and deed.

P. M. Arlett J. P.

The Petition of C. W. Billingslea referred to in foregoing Report of Sale, is in the following words, to wit:

To the Honorable Judges of the Circuit Court for Queen Anne's County, in Equity:

The Underigned, respectfully sheweth that he has assigned, transferred, and let over to the use of William S. Solloway of Queen Anne's County, State of Maryland, all his right, title, interest and estate at law or in equity, in and to all that tract or parcel called Brotherhood purchased by him at public sale thereof made by John B. Brown, (Mortgagee John Palmer, Mortgagee) on the second day of June last, at and for the sum of Four Hundred dollars, and respectfully pray your Honor that said William S. Solloway may be substituted as the purchaser thereof instead of your Petitioner, and that said John B. Brown may be authorized and directed to convey same to said William S. Solloway in as full and ample manner as he could have conveyed same to your Petitioner, and as in duty bound he your Petitioner will ever pray &c.

C. W. B. Billingslea

And thereupon the following Order was passed, to wit:

In the Circuit Court for Queen Anne's County, in Equity.

24th Term, 1868.

Ordered, that the Petitioner be substituted as purchaser of the same.

J. Brown, Agent and Attorney for John Palmer, Mortgagee of George E. Sleeves Elizabeth Sleeves his wife, and the real Estate called "Patriot" which is situated and bounded, unless proved to the contrary thereof, as shown on the plan, the 2nd December next, approved a Copy of this Order, published in some newspaper printed in Queen Anne's County, once in each of three successive weeks before the 2nd November next.

Report States amount of Sale to be \$400.00
October 21st 1868. James Weston Clerk
On the nineteenth day of December, in the year eighteen hundred and fifty eight, the Circuit Court for Queen Anne's County, having read and considered the petition of the said G. H. Ballingalea heretofore filed in said Court, passed the following Order to wit:

The aforesaid Petition being read and considered, it is this 14th of December, 1868, ordered, that William T. Polloway, for and he is hereby substituted the purchaser of the within named real Estate, instead of G. H. Ballingalea. And the Executor John B. Brown, is authorized and directed, to convey the said real Estate to the said William T. Polloway, upon the payment of the purchase money, in as full and ample manner as he could to G. H. Ballingalea.

And afterwards to wit: On the Second day of January, in the year eighteen hundred and fifty nine, the said Circuit Court, passed the following order to wit:

In the Circuit Court for Queen Anne's County, in Equity.
Ordered, On this 4th day of December, 1868, by the Circuit Court for Queen Anne's County, in Equity, and by the authority thereof, that the sale within reported, be and the same is hereby ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given according to the preceding Order. The Expenses of suit are hereby allowed, and Commissions to the said John B. Brown in pursuance to the General Order heretofore passed, applicable to such cases.

And on the nineteenth day of January, in the year eighteen hundred and fifty nine, Silas B. Kopper, Esquire, Auditor, filed in said Court, an Audit and account in the following words, to wit:

John Palmer, Mortgagee.
vs
Elizabeth Sleeves & George E. Sleeves, her husband.
Report of Sale by J. B. Brown, Agent of Mort.

To the Honorable the Judges of the Circuit Court for Queen Anne's County, sitting as a Court of Equity.
The Auditor respectfully reports, that he has made up the following account from the papers and proceedings in this cause, in which he has allowed to the Mortgagee his Costs of Proceeding; to J. B. Brown his Agent to sell, the usual Commissions allowed to Attorneys, according to the General Order of this Court his Expenses; and the balance he applied to the discharge of the Mortgage debt which on the day of Sale amounted to \$338.00 less Auditor's fee.

All of which is submitted
S. B. Kopper, Auditor.
Jan 16. 1869.

For the Real Estate of Elizabeth Snow & George E. Snow in and with John Palmer Mortgage, Co.

1868

June 21

To J. B. Brown, Agent for Mortgage, for Commissions
 To J. B. Brown, " " for Expenses
 To John Palmer Mortgage, for his Pmts viz.
 James Boston, & Co
 Solicitor
 To the Auditor for his fee.
 To J. B. Brown, Assignee, as per Assignment
 Entered on Mortgage, filed in part of the balance
 due on the Mortgage debt, to be applied by him
 according to the terms of the said Assignment.

		28	11
		32	25
11	30		
20	00	31	30
		4	50
		96	15
358	08	303	95
		400	00

1868

June 2

By amount of Proceeds of Real Estate as per Report of Sales of J. B. Brown, Agent.

400 00

400 00

J. B. Kupper Auditor
January 16, 1869.

And on the fifteenth day of February, in the year last aforesaid, the said Court passed the following order, to-wit:

In the Circuit Court for Queen Anne's County, In Equity!
January Term 1869.

Ordered, that the foregoing Report of the Auditor be and the same is hereby finally ratified and confirmed, and John B. Brown, Agent and Assignee of the Mortgage, is hereby directed to apply proceeds accordingly, after first deducting from the sum of \$303.95 the amount of a tax bill of \$3.94 charged against said land and paid by him since the making and filing of this Report.

15th July 1869.

Jno M. Robinson

Mary Rebecca Nolden
Jane Nolden, John M. Nolden
James E. Nolden, and George
D. D. Nolden

Be it remembered, that on
the Eighteenth day of April, in
the year Eighteen hundred and
sixty five, Mary Rebecca Nolden,
by William D. Woffler Esquire,
Esq. Solicitor, filed in the Circuit
Court for Queen Anne's County
Bill of Complaint against the said Jane Nolden, John M. Nolden, James
E. Nolden and George D. D. Nolden, in the words and of the tenor following
to wit:

To the Hon. J. M. Robinson, Judge of the Circuit
Court for Queen Anne's County,

The Bill of Complaint of Mary Rebecca
Nolden of Queen Anne County, humbly shews: That your Oratrix and
Jane Nolden, John M. Nolden, James E. Nolden, and George D. D.
Nolden are seized as tenants in Coparcenary of a tract of land, near
Crumpton called "Nolden's Hill", containing about One hundred acres
of land; being on the North Side, of the public road leading from
Chertown to Crumpton and adjoining the lands of J. Freeman Hol-
ding, Nathan Chavis and others, - and which descended to them from
their father James Holding deceased, and that the same is subject
to the dower of their Mother the widow of the said James Holding.

It further shews that the said farm is incapable of division among
the parties entitled, without loss and injury, and that it will be for the
interest and advantage of all the parties entitled, to sell the aforesaid
Real Estate and to divide the proceeds thereof according to their several
just proportions among them. But inasmuch as the said Jane Nolden
John M. Nolden, James E. Nolden and George D. D. Nolden are infants
under the age of Seventy one years, your Oratrix is advised that such
sale cannot be had without the aid of this Court.

So she prays therefore that the said Jane Nolden, John M. Nolden,
James E. Nolden, and George D. D. Nolden may answer the premises, and
that the aforesaid Real Estate may be sold under the authority of this
Court, and that your Oratrix may have such further and other relief
as and where may require.

May it please your Honor to grant unto your Oratrix the writ of
Subpoena against the said Jane Nolden, John M. Nolden, James E. Nolden
and George D. D. Nolden of Queen Anne County, commanding them
to appear in this Court at some certain day to be therein named, to
answer the premises and abide by, and perform such decrees as may
be passed therein. And as in duty bound.

J. D. Woffler
Esq. Solicitor

Whereupon Subpoena was issued for the said Jane Nolden, John
M. Nolden, James E. Nolden and George D. D. Nolden, and the said
Defendants were returned by the Sheriff of Queen Anne County re-
turned "Dum non". And afterwards to wit: on the third day of Oc-
tober, in the year aforesaid a Commission was issued to David W.
Crane to aforesaid and appoint a Guardian and take the answer
of the said Jane Nolden, John M. Nolden, James E. Nolden and George
D. D. Nolden infants, in the following words to wit:

Queen Anne's County, to wit: The State of Maryland, to David
 D. Brane Esq. of Queen Anne's County State of Maryland,
 Sheriff, Whereas Mary Rebecca Holden has filed her Bill
 of Complaint, in the Circuit Court for Queen Anne's County
 as a Court of Equity, setting forth that she and Jane Hol-
 den John M. Holden, James E. Holden and George D. Holden are seized
 as tenants in common, of a tract of land near Crumpton called "Holden's
 Mill" containing about one hundred acres of land, being on the North side
 of the Public Road leading from Chestertown to Crumpton, and adjoining the
 lands of J. Freeman Holding Nathan Chairs and others and which descended
 to them from their father James Holding deceased, and that the said lands
 subject to the dower of their mother the widow of the said James Holding,
 and that the said land is incapable of division among the parties entitled
 without loss and injury, and that it will be for the interest and advantage
 of all the parties entitled to sell the aforesaid Real Estate and to divide the
 proceeds thereof according to their several just proportions among them, but
 forasmuch as the said James Holden John M. Holden James E. Holden and
 George D. Holden are infants under the age of twenty one years and can-
 not answer the said Bill nor defend the said suit without having a Guardian
 assigned in that behalf, Be it therefore known that the said Court has
 given unto you full power and authority to assign and appoint a Guardian
 for said infants, and to take the answer of said infants by such Guardian
 to the said Bill, and you are hereby directed that if you do and
 place as you shall think fit, you go to said infants in their arms and
 vicinity, come to you, and assign and appoint a Guardian to said
 infants, and take the answer of said infants to the said Bill on such
 Guardian's Oath as to be administered by you, the said answers
 being distinctly and plainly written, and when you shall have taken
 the answers, you are to send the same close under your hand and seal
 together with your Certificate of your having assigned such Guardian
 as aforesaid, and this writ unto the said Court.

Witness the Honorable John M. Robinson, Judge of said Court
 the 24th day of July in the year Eighteen hundred and sixty five
 the 3rd day of October 1865.

Samuel E. Ryott Clerk

And on the sixth day of November in the year aforesaid, the said
 David M. Brane, made return to the said Court of the execution of said
 Commission, in the words following to wit:

To the Honorable John M. Robinson, Judge of the Circuit
 Court for Queen Anne's County,

The Subscriber, being the Commissioner
 named in the annexed Commission hereby certifies that in execution
 of the power therein vested in him he did on the twentieth day of
 October in the year 1865 proceed to the dwelling house of Mrs. Ann R.
 Holding in Queen Anne's County, where the said Jane Holden, John M.
 Holden, James E. Holden & George D. Holden the infants named in
 said Commission then were, and caused the said infants to be brought
 before me and then and there in the presence of the said infants assigned
 and appointed Tho. M. Hendrix of Queen Anne's Co. Guardian to said infants
 and took the answer of the said infants by their said Guardian under
 the oath of said Guardian, by me administered to the Bill of Complaint in

Said Commission mentioned, which said and how with said Commission is herewith returned closed, under my hand and seal 29th day of October 1865.

R. N. Crane

The answer of Anne Holden, John M. Holden, James E. Holden and George D. Holden, infants under the age of twenty one years by Thos N. Hendrix their Guardian to the Bill of Complaint of Mary Rebecca Holden against them Exhibited.

These Defendants cannot admit any of the matters and things alleged in said Bill, and being infants of tender years submit their rights to the protection of this Court.

Thos N. Hendrix

State of Maryland, Queen Anne's County, to wit.

On this twentieth month day of October 1865, one within named Thomas N. Hendrix appeared before me, Commissioner and made oath in due form of law, that the matters and things stated in the foregoing exhibits are true to the best of his knowledge and belief.

R. N. Crane

And whereas by said Thomas N. Hendrix Guardian as aforesaid came into court here by Royal Sighman Esquire, his Solicitor, and on the thirty first day of July in the year Eighteen Hundred and sixty six, the following Agreement was filed, to wit:

Mary Rebecca Holden }
vs } Bill of Complaint in Civ at Law
Anne Holden & others } Queen Anne's County.

It is agreed that a Commission to take testimony in the above named cause be issued to Royal Sighman Esq.

S. B. Hopper Esq for Plaintiff
Royal Sighman

And on the day and year last aforesaid, a Commission was accordingly issued, in form following, to wit:

Queen Anne's County to wit: The State of Maryland, So James Woatens Esquire of Queen Anne's County, Sheriff, Be it known that you are appointed Commissioner to examine evidence in a Cause depending in the Circuit Court for Queen Anne's County between Mary Rebecca Holding Complainant, and John M. Holden, John M. Holden, James E. Holden & George D. Holden Defendants. You are therefore hereby required, having first taken the oath hereto annexed, and also administered the annexed oath to the Justice whom you shall appoint Clerk to attend to Execution of this Commission, that at such time and place as to you shall seem convenient you cause to come before you all such Evidence as shall be named or produced to you by either the Complainant or Respondents; and that you examine them upon their personal oaths to be by you administered upon the Holy Evangelia, of Amosiah God, touching their knowledge or remembrance of any thing that may relate to the Cause aforesaid, and that you cause notice to be given to the parties or their Solicitors of the Execution of this Commission, before you Execute the same, and having reduced the depositions of the Witnesses so taken by you into writing, you send the same with this Commission closed under your hand and seal, to the said

Court with government Seal

Wm. C. Hargrave, John M. Robinson, Judge of our said Court
the 23rd day of July Eighteen hundred and sixty six.
Spued the 31st day of July 1866.

Samuel E. Ryott, Clerk

Commissioners Oath

You shall according to the best of your Skill and judgment, truly
faithfully and without partiality, to any or either of the parties to this
cause, take the Examinations and depositions of all and every the
witnesses produced and Examined by virtue of the Commission hereto an-
nexed upon the interrogatories now, or which may hereafter before the said
Commission is closed be produced to and left with you, by either of the
said parties.

So help you God.
Samuel E. Ryott Clerk

Clerks Oath

You shall truly faithfully and without partiality, to any or either
of the parties to this cause, take write down and transcribe the depositions
of all and every the witnesses produced, before and Examined by the Com-
missioner named in the Commission hereto annexed as far forth as you
are directed and employed by the Commissioner to take, write down
and transcribe the said depositions or any of them.

So help you God
Samuel E. Ryott Clerk

And on the Eighth day of August, in the year last aforesaid, the
said James Westover the Commissioner named in the said Commission,
made return to the said Court of the Execution of said Commission, as
follows to wit:

Mary Rebecca Holden

vs
Jane Holden, John M. Holden
Factors

In the Circuit Court for Queen Anne County

Interrogatories to be propounded to the Witnesses produced on
the part of the Complainant.

No 1. Are you or not acquainted with the parties to this Suit, and if
yes how long have you known them?

No 2. Did you know James Holding father of the parties to this cause
if yes, state whether he is dead, or how he died, and whether he
left a widow?

No 3. Do you or not know the tract of Land called "Holdings Hill"
which descended to said parties by the death of their father, and if yes,
state what in your judgment it is worth?

No 4. State whether or not in your opinion it will be to the interest
and advantage of said parties that said Real Estate should be sold, and
the money arising therefrom be distributed to them in their several just
proportions, if yes, state your reasons for your Opinion.

S. P. Hopper Solicitor
for Compt.

To the Honorable John M. Robinson, Judge of the Circuit Court
for Queen Anne County.

At the Execution of the annexed Commission signed at

Of the Circuit Court for Queen Anne's County, and to me directed, empowering me to examine evidence in a cause depending in said Court, when in Mary Rebecca Holden is Complainant, and Jane Holden and others are Respondents, I James Neale, Commissioner therein named, having taken the oath annexed to said Commission, did at Centerville, on the second day of August 1866. the usual notice by the Statute in the premises being waived, proceed to take the following Depositions.

John L. Porter, a Witness of lawful age, produced and examined on the part of the Complainant being duly sworn deposes and says:

To the first interrogation, that he knows the parties, and has them all fair lives, all of whom are infants except Mary Rebecca.

To the second interrogation, he did know James Holden now dead leaving a widow Ann Rebecca, and he died in 1864.

To the third interrogation, he knows the land called "Holden's Mill," and thinks it worth about fifteen hundred dollars.

To the fourth interrogation, it should be to the interest of said parties, that said Real Estate should be sold, and the moneys arising therefrom be distributed to them in their just proportions, for the reason that the land is annually decreasing in value, incapable of division and the moneys or interest arising from the purchase money would be more valuable than the sum now derived, as sent from Mr. Deponent to the friends of Jane Holden received her portion of the rent for last year, amounting to not more than nine hundred dollars, if so much.

John L. Porter

Joseph Catlin, a Witness of lawful age, produced and examined on the part of the Complainant, being duly sworn deposes and says:

To the first interrogation, he personally knows the Complainant and has often seen the other parties, but does not know their names until he has frequented Jan them.

To the second Interrogation, he knew James Holding who died in 1864, leaving a widow Ann Rebecca.

To the third and fourth interrogations, deponent having heard the answers of John L. Porter to said interrogations, adopts said answers as his own, except that part relating to rent received for 1865.

Joseph Catlin

There being no other Witnesses to be examined, and neither party desiring further time for the production of evidence, the Commissioner closed the said Commission, and herewith returns the same, under his hand and seal, this second day of August, 1866.

Costs
Commissioner \$4.10
Witnesses 1.50
5.60

James Neale
Commissioner

And on the Eighth day of August, in the year last aforesaid, the said Court passed the following decree, to wit:

Mary Rebecca Holden

Jane Holden & others

In the Circuit Court for Queen Anne's County sitting as a Court of Equity.

This cause standing ready for hearing and being submitted without argument, the proceedings were read and considered.

It is therefore, this 8th day of August, in the year of our Lord Eighteen hundred and fifty six by John M. Robinson, Judge, and by the authority of this Court, adjudged, ordered and decreed, that the Real Estate in the proceedings mentioned, be sold for the purposes set forth in the Bill of Complaint. That P. B. Wopper be and he is hereby appointed Trustee to make such, and that the cause and manner of his proceedings shall be as follows; He shall first file with the Clerk of this Court, a bond to the State of Maryland executed by himself, with a surety or sureties to be approved by me or by the Clerk of this Court in the penalty of Three thousand dollars; conditioned for the payment of the sum of money as the Court should order in him by this order, and which may be repaid in full by any future order or orders in the premises, or that he shall proceed to make said sale upon the premises mentioned in the Bill of Complaint, having first given at least two weeks previous notice in some two papers printed in Queen Anne's County, and such other notices as he may think proper of the time, place manner and term of sale, which term shall be as follows viz: One hundred and fifty dollars in cash and the residue in six and twelve months, to be paid in equal instalments, to be made by bond of the purchaser, with a surety or sureties to be approved by the Trustee.

And as soon as may be convenient after any such sale, the said Trustee shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof and of the fairness of such sale, annexed, and with the satisfaction of such sale by this Court and the payment of the whole purchase money (and not before) the said Trustee by a good and sufficient deed to be executed and acknowledged agreeably to law shall convey to the purchaser or purchasers of said property and to his, her or their heirs, the property to him, her or them sold, free and clear and discharged of all claim of the parties to this cause and of any person or persons, claiming by force or under them, and the said Trustee shall bring into this Court the moneys arising from such sale, and the bonds or notes which may be taken for any time to be disposed under the direction of this Court, after deducting therefrom the costs of this suit, and such commission to the said Trustee as this Court shall allow, for the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

John M. Robinson

And on the nineteenth day of December, in the year last aforesaid, a petition was filed in the said Court, in the words following to wit:

Holden }
Warden } In the Circuit Court for Queen Anne's County, in Equity.

To the Honorable John M. Robinson, Judge of the Circuit Court for Queen Anne's County in Equity.
The Petition of Richard B. Carmichael and Madison Brown, late co-partners in law, in the name and style of Carmichael & Brown, preferred in this cause in behalf of themselves and all other Creditors of James Holden or James Holding, late of

Queen Annes County, deceased, to your Honor respectfully sets forth that said James Holden, died, leaving in debt and possessed of one personal and Real Estate, said Real Estate being the Real Estates created in the proceedings in this Cause, and reported for by S. B. Noyes, who was appointed by the Court in this Cause to make sale of same, and as appeared the said James Holden was indebted to your petitioners by James Biel bearing date the 8th day of May 1855 in the sum of Fifty five dollars, with two Credits Endorsed thereon, to wit: August 2^d 1855 by cash recd. thro' mail \$3.00

Dec 17 1855 Or cash thro' Henry Tomlin 25.00 and in account in the sum of \$13.33 and interest thereon from 1st July 1856, as will appear by the vouchers of said indebtedness, here with filed in part of this petition marked Exhibits A & B. Your petitioners further set forth that letters of administration on said deceased's personal Estate were granted to John B. Vanfant of Queen Annes County, by the Orphans Court for said County, and that said personal Estate has been exhausted in due course of administration as will appear by a copy of the dividend declared upon said personal Estate herewith filed as part of this petition & marked Exhibit C; said personal Estate paying only twenty eight cents on the indebtedness specified in said dividend, leaving the residue of said claims due and unpaid and a charge upon the land of which the said James Holden died seized and possessed or the proceeds arising from sale thereof reported in this Cause. Your petitioners in behalf of themselves and the creditors of said James Holden file herewith the claims against said deceased, specified in said dividends copy whereof is herewith filed, and pray your Honor to pass an order subjecting the proceeds of said Real Estate in the hands of said S. B. Noyes, Trustee as aforesaid, to the payment of said residue of indebtedness of the said James Holden, left after the application and exhaustion of his personal Estate as aforesaid and referring the papers in this cause with this petition and the claims with their vouchers and exhibits accompanying same to the auditor of this Court to state an account between the said S. B. Noyes Trustee as aforesaid, and your petitioners and the other creditors of the said James Holden. And as in duty bound &c

John B. Brown Solicitors for Petitioners

The Exhibits referred to in the foregoing petition, are as follows, to wit:

Centreville, May 8th 1855 - For value received I promise to pay to Messrs Carmichael and Brown the sum of Fifty five dollars. Witness: James B. Meredith. James Holden Esq

Queen Annes County Sch. (Then came R. B. Carmichael & M. Brown Nov. 13th 1855. } and made oath on the Holy Evangel of Almighty God that the foregoing Note was given for valuable consideration and that they have not directly or indirectly received any part thereof Security or Satisfaction for the same to the best of their knowledge and belief except the Credits given

N. A. Johnson Register of Wills

Post 10^{cts} pd
Nov 21st 1865, Per order of Court will be allowed when paid.
Post 10^{cts} pd
Post 10^{cts} pd
N. A. Johnson Register of Wills for Queen Annes County

James Holding to Carmichael & Brown Dr
 1853 June, do drawing & deeds to break entail of your land \$10.00
 do App Fee at suit of A. Cremery 3.33
 \$13.33

So interest from July 1856
 Queen Anne's County, set then came R. B. Carmichael & M. Brown
 Nov 13 1865 & of the firm of Carmichael & Brown, and
 made oath on the Holy Evangel of Almighty God, that the foregoing ac-
 count is just and true, as stated, and that they have not directly or
 indirectly received any part, parcel, security or satisfaction for the same,
 to the best of their knowledge and belief.

W. A. Johnson
 Register of Wills
 W. A. Johnson
 Register of Wills for Queen Anne's County

Nov 21st 1865, By order of Court will be allowed when paid.

Oct 10th pd
 Oct 10th pd

Queen Anne's County, set: Rev. John B. Vanfant, Adminis-
 trator of all and singular the Goods, Chattels and personal Estate
 of James Holding, late of Queen Anne's County, deceased.

do balance due on 1st account of Administration, settled Decr
 24 1865, as per same appears. \$78.63

From which deduct account examining Statement of claims and finding Dividends among Decedent's creditors	0.50	
do do recording of same, and copy of dividend for administrator, and for other fees due	5.00	
Also for the probate cost for stating, recording & find- accounts;	3.63	
And for costs of Probates and Certificates on 6 claims to be returned to such claimants, as have paid them,	1.20	16.33
		<hr/>
		62.30

The foregoing Balance divided among the Creditors
 of the deceased will pay at the rate of twenty eight
 cents in the dollar, and to each as follows, viz:

	Claims	Dividend
paid Hanson & Bro. per claim No 1.	\$13.24	3.71
paid Hanson & Bro. per note No 2	24.72	6.92
paid R. B. Carmichael & Brown per claim No 3	21.19	5.93
paid R. B. Carmichael & Brown per note No 4	46.93	13.13
W. S. Merrill per claim No 5	3.47	.97
amt carried forward)	109.57	\$30.68
amt brought forward)	109.57	\$30.68
John L. Porter per copy of Judg: vs Admr. No 6	27.84	7.80
John S. Tucker per claim No 7	6.72	1.88
Mary E. Blackston per claim No 8	5.32	1.49
G. W. Smith per claim No 9	7.17	2.57
Mr E. Power per claim No 10	27.81	13.38
E. J. Howland per claim No 11	12.30	3.44
Denise Smith admr use John B. Vanfant	3.78	1.06
	<hr/>	<hr/>
	\$222.51	\$62.30

Queen Anne's County, Orphans Court. The foregoing Dividend
May 8th Anno Domini 1866. Was duly Examined, and
Approved by the Court, and
the same ordered to be received, filed and recorded.

M. A. Johnson Reg. Vices
for Queen Anne's County.

True Copy
Test

M. A. Johnson Reg. Vices
for Queen Anne's County.

Which said petition being read and considered, the Court here, pass the
following order to wit:

Entered on the aforesaid petition and claims, vouchers and
claims exhibits accompanying same, that the proceeds of sale arising from
the sale of the Real Estate as reported in this Cause by P. B. Hopper,
Trustee, be and the same are hereby subjected to the payment of the
indebtedness of the said James Holden remaining after the application
and exhaustion of his personal Estate as set forth in said petition
and accompanying papers, and that the papers in this Cause together with
the aforesaid petition and papers accompanying same or any the same
are hereby referred to the Auditor of this Court, to state an account
between said proceeds of sale as aforesaid, in the hands of P. B. Hopper
Trustee in this Cause, and the petitioners and the other creditors of the
said James Holden, deceased.

M. M. Robinson
Dec 19. 1866.

And on the twenty ninth day of December, in the year last aforesaid,
the said Philemon B. Hopper, the Trustee, named in said decree filed
in Court here, the following Bond, with the Endorsement, therein to wit:

I now do men by these presents, that we P. B. Hopper, and
Matthias George of Queen Anne County, in the State of Maryland, are
held and firmly bound unto the State of Maryland, in the full and just
sum of four thousand dollars, current money, to be paid to the said
State or its certain Attorneys; to which payment well and truly to be made
and done, we bind our selves and each of us, our and each of our heirs Execu-
tors and administrators jointly and severally, firmly by these presents.

Sealed with our Seals and dated this day of August Eighteen hundred
and fifty six.

Whereas by a decree of the Circuit Court for Queen Anne's
County, bearing date on the eighth day of August in the year Eighteen
hundred and fifty six, and passed in a cause in said Court wherein
Mary Rebecca Holden was Complainant and James Holden & others were
Respondents, the above bound P. B. Hopper, has been appointed Trustee
to make sale of certain Real Estate in the proceedings in said cause men-
tioned. Now the condition of the above obligation is such, that if the
above bound P. B. Hopper do and shall, well and faithfully perform
the trust reposed in him by said decree, or that may be reposed in him
by any future decree or order in the premises then the above obligation
to be void, otherwise, to remain in full force and virtue in law.

Signed sealed and delivered
in the presence of
James M. Chambers

P. B. Hopper
Matthias George

Seal
Seal
Seal

ments of said decedent, but before its Execution he departed this life leaving a widow Julia A. Reeves and the following Children, his heirs at law, Caroline Johnson wife of A. Johnson, Rebecca Reeves, Hannah E. Reeves, Sally Reeves, Margaret Reeves and Sarah Reeves, most of whom are infants under the age of twenty one years. Your petitioner further represents that the said widow and all of said Children have repaired out of this State most of them, he thinks, to the State of New Jersey, since the death of the said J. A. Reeves.

And your petitioner charges, that inasmuch as the said J. A. Reeves has departed this life, without having complied with the terms of his purchase, and there remains a considerable portion of the purchase money unpaid, he is entitled to have the said Real Estate sold at the risk of the said J. A. Reeves or of his legal representatives.

And therefore that your Honor may order the said Real Estate to be sold at the risk of said purchaser or of his representatives, and that the defendants may answer the several matters and things hereinbefore stated as fully as if they were thereunto specially interrogated; and that your petitioner may have such further and other relief as his case may require.

May it please your honors to grant unto your petitioner an order of publication giving notice to the said Julia A. Reeves, Caroline Johnson, A. Johnson, Rebecca Reeves, Hannah E. Reeves, Sally Reeves, Margaret Reeves and Sarah Reeves, all of whom are non-residents, of the substance and object of this petition, and warning them to appear in this Court in person or by solicitor on or before a certain day to answer the premises and show cause if any they have, why an order should not pass as prayed. And as in duty bound I B. Hopper, Trustee

And on the seventh day of February, in the year last aforesaid, the Court here passed an order of Publication, in the following words, to wit: Mary Rebecca Narden

vs
Jane Narden Executors } In the Circuit Court for Queen Anne's Co

The object of the petition filed in this cause is to procure an order for a resale of the Real Estate mentioned in this cause. The petition states that J. B. Hopper as Trustee to sell the said Real Estate did heretofore sell the same to J. A. Reeves, formerly of the State of Delaware, for and at the price of twenty one hundred and thirty dollars, that he had received at various times about the sum of Eight hundred and fifty dollars, and that the said J. A. Reeves without having paid the balance of the purchase money, or without having executed his bond for the payment of the same departed this life, leaving a widow, Julia A. Reeves, and the following his Children, and heirs at law, Caroline Johnson, wife of A. Johnson, Rebecca Reeves, Hannah E. Reeves, Sally Reeves, Margaret Reeves, and Sarah Reeves all of whom reside beyond the limits of the State of Maryland and most of which said Children are infants under the age of twenty one years. It charges that said Real Estate under circumstances is liable to be resold at the risk of the said J. A. Reeves or of his legal representatives, for the payment of the purchase money due thereon. It is thereupon adjudged and ordered, that the said petitioner by causing a copy of this order to be inserted in some newspaper published in

Queen Annes County, once in each of four successive weeks before the twentieth day of March next, - give notice to the said absent parties of the object and substance of this petition, and warn them to appear in this Court in person or in solicitor, on or before the 20th day of June next, to answer the premises and show cause, if any they have, why the order ought not to pass as prayed.

Joseph A. Wickes

And on the twenty third day of June, in the year last aforesaid, the Court here passed the following order, to wit:

Mary Rebecca Holden
vs
Jane Holden & others

{ Bill of Complaint &c. in the Circuit Court for Queen Annes County.

The Petition filed in this cause for a resale of the property mentioned in the proceeding having been read and duly considered and it appearing to the Court that the order of publication heretofore passed in relation thereto having been complied with, and no cause being shown against the prayer of the petition, It is therefore this 23rd day of June, in the year Eighteen Hundred and Sixty Eight Ordered and adjudged that S. B. Hopper, Trustee therein named be and he is hereby authorized and directed to resell the Real Estate mentioned in the said petition at the risk of D. A. Reeves, the former purchaser, the said resale to be made upon the following terms: He shall give notice of the said Resale at least once a week for three weeks to be published in one or more newspapers printed in Queen Annes County; and by such other notice as he may deem proper of the time, place and terms of sale, the terms of sale to be one hundred and fifty dollars in cash on the day of sale, and the balance to be paid in two equal instalments in six and twelve months to be secured by the bonds of the purchaser with sureties to be approved by the trustee, drawing interest from the day of sale, He shall hereafter as soon as may be convenient make report of said sale as required by the decree in this cause and in all other respects comply with the terms of said decree in regard to said sale, as are required in reference to the sale first made by him, and after paying and satisfying himself the balance of purchase money due from the said D. A. Reeves, he shall hold the residue of the purchase money for which the said Real Estate may be resold, for the representative or representatives of the said D. A. Reeves first deducting therefrom all the costs and expenses necessarily attending said resale, and such commission as may be allowed by this Court for his trouble and care in making said Resale.

D. A. Wickes

And on the twenty fourth day of November, in the year last aforesaid, the said Trustee S. B. Hopper the Trustee, made the following Report of Sale to wit:

Mary Rebecca Holden
vs
Jane Holden & others

{ In the Circuit Court for Queen Annes County sitting as a Court of Equity.

So the Honorable The Judges of the Circuit Court for Queen Annes County. The Report of S. B. Hopper, Trustee appointed.

by the decree in this cause to make sale of certain Real Estate therein mentioned & saw, that by virtue of the order of Refale passed on the 23rd day of June of the present year, having given bond as required by the decree in this cause, and after giving notice of the time, place, manner and terms of sale as required by said order of Refale by advertisements in the "Citizen" and "Observer" two papers published in Centerville; and in the "Crumpstonian" published in Crumpton, all in Queen Annes County for more than three weeks successively before the day of sale, he did pursuant to said notice attend in front of the brick dwelling of John W. Thompson, in Church Hill on Saturday the 18th day of July between the hours of 1 & 3 o'clock P.M. and then and there offered the said Real Estate at public sale to the highest bidder and sold the same to John P. Solloway, he being then and there the highest bidder, therefor, for and at the price of twenty dollars and thirty six cents, and that he received on the day of sale the cash payment of one hundred and fifty dollars, and took the bond of the said Solloway with D. H. Crane and W^m D. Anderson his securities for the payment of the sum of Eighteen hundred and eighty six dollars in two equal instalments of six and twelve months, making forty one, two, three months \$2036.00. all of which is respectfully submitted.

J. B. Hopper, Trustee.

Now and, Queen Annes County, to wit:

On this 24th day of November in the year Eighteen hundred and sixty eight before the subscriber, a Justice of the Peace of said State and for said County personally appeared the within named J. B. Hopper Trustee and made oath that the matters and things stated in the foregoing report are true, to the best of his knowledge and belief, and that the sale therein reported was fairly made.

R. Gadsborough J. P.

And, upon said Report being filed as aforesaid, the following order was passed, to wit:

In the Circuit Court for Queen Annes County.

Ordered this 24th day of November, in the year 1868 that the sale made and reported by J. B. Hopper Trustee for the sale of James Wooters' Real Estate be ratified and confirmed unless cause to the contrary thereof be shown on or before the first day of January next: provided a copy of this order be inserted in some paper printed at Centerville once in each of three successive weeks before the 20th day of December next.

The Report states the amount of sales to be two thousand and thirty six dollars.

James Wooters Clerk

And afterwards, to wit: On the twenty fifth day of January in the year Eighteen hundred and sixty nine, the Auditor of the Circuit Court for Queen Annes County files in Court here, a statement of claims, together with the following Report and Audit, to wit:

Statement of Claims vs James Wooters

Lamijon & Beattie claim 1101
 Return dividend from personal Est.
 Dnt. from 1. May 1866. 1 Sept 1866

13	24		
3	71		
9	53		
	19	9	72

Samuel Walker Note Plain No 2/
 Deduct dividend
~~amt to 1 Sept 1866~~
 amt to 1 Sept 1866

24	72		
6	92		
17	80		
	35	18	13

Amichael Brown No 3
 Deduct dividend
 amt to Sept 1, 1866

21	19		
5	93		
15	26		
	30	15	56

Amichael Brown No 4
 Deduct dividend
 amt to 1. Sept 1866

46	95		
13	15		
33	80		
	67	34	47

M. S. Merritt No 5
 Deduct dividend
 amt to 1, Sept 1866

3	47		
	97		
2	50		
	5	2	53

John L. Porter No 6
 Deduct dividend
 amt to 1. Sept 1866

27	84		
7	80		
20	04		
	40	20	44

John S. Tucker No 7
 Deduct dividend
 amt to 1. Sept 1866

6	72		
1	88		
4	84		
	9	4	93

Mary E. Blackiston No 8
 Deduct dividend
 amt to 1. Sept 1866
 amt over

5	32		
	49		
3	83		
	7	3	90
		109	72
		109	72

Wm. Gray Plain No 9
 Deduct dividend
 amt to 1. Sept 1866

9	17		
2	57		
6	60		
	3	6	73

Dr. S. Sever No 10
 Deduct dividends
 amt to 1. Sept 1866

47	81		
13	38		
34	43		
	68	35	11

S. S. Tomlan No 11
 Deduct dividend
 amt to 1. Sept 1866

12	30		
3	44		
8	86		
	17	9	03

Daniel Smith Amr. use J B Hopper No 121
Deduct Dividends

3	78
1	06
2	72

1	279

163	36

Wt to 1. Sept 1866

Mary Rebecca Holden

Jane Holden Factors

In the Circuit Court for Queen
Annes County,

Sitting as a Court of Equity
So the Honorable the Judges of the Circuit Court for
Queen Annes County,

Queen Annes County,

The Auditor respectfully reports, that he has Examined the proceedings in this cause, and has therefrom prepared the following account between the Real Estate mentioned in the proceedings and the Trustee for the sale thereof in which he has allowed to the Trustee his Commissions and Expenses to the Complainants and defendants each their Costs of suit and to the Auditor his fee. He next allowed to the creditors of James Holding by order of Court the balances of accounts due them after deducting the dividends from the personal Estate and adding interest on balances to day of sale. He also allowed to Mrs Lovridge widow of James Holding one fourth of net proceeds of Real Estate; she being 29 years of age, and in good health on the day of sale. The residue of the proceeds were distributed Equally between the five Children of the said James Holding. The Auditor adds that he charged the Trustee not only with the amount of the proceeds of sale made by him in the first instance to J. A. Reeves but also with the additional sum of \$18.50 to be retained out of the balance arising from the last sale due the representatives of the said J. A. Reeves. the said sum being additional costs incurred by the Complainant and Trustee upon the second sale, which was made by the order of Court at the risk of the representatives of the said J. A. Reeves.

All of which is submitted

J B. Hopper. Auditor.
Jan 14. 1869.

Dr The Real Estate of Mary Rebecca Holden & others in acct with J B. Hopper Trustee for the said
Sale thereof

To the Trustee for his Commissions		128	35
To the Trustee for his Expenses		33	00
To the Complainants for their Costs of suit viz:			
Samuel E. Dyott, late Clerk	7	35	
James Neaton, Clerk	15	15	
Solicitor	20	00	
D. N. Crane, Comr. to appoint Guardian	4	10	
James Neaton " to take testimony	4	10	
John L. Arter & Joseph Catlin Witnesses each 75 cts		57	53 80
To the Defendants for their Costs of suit viz:			
Solicitor	10	00	
Sam. E. Dyott, late Clerk	1	40	
James Neaton, Clerk		20	12 60

To the Auditor

		4 50
To Hamilton Bros for their claim	No 1	232 25
To Hamilton Bros for their claim	No 2	9 72
To Carmichael Brown	No 3	18 15
To Carmichael Brown	No 4	15 56
To W. G. Nemitt	No 5	34 47
To John Carter	No 6	2 53
To John S. Tucker	No 7	20 44
To Mary E. Blackstone	No 8	4 93
To G. W. Smy	No 9	3 90
To Mr S. Tower	No 10	6 73
To E. J. Howland	No 11	35 11
To David Smith admr. use D. B. Vanfank	No 12	9 03
To Ann B. Leverage formerly Holden, widow in lieu of her child \$11.48 thereof to the use of trustee of \$60.00 to the use of J. N. Sheppard with int from 6 March 1868		2 77
To J. Ann Holden		273 75
To Mary Rebecca Holden		295 82 1/2
To John M. Holden		295 82 1/2
To James E. Holden		295 82 1/2
To George D. Holden		295 82 1/2

By this amount being proceeds of sale of Real Estate sold in the first instance to D. A. Reeves
 By this amount of costs charged to complainant caused by the failure of D. A. Reeves to comply with the first sale, to be deducted from such sum as may be due the representatives of the said D. A. Reeves.

2148 60
 2130 00
 18 50
 2148 50

J. B. Hopper, Auditor
 January 14, 1869.

And on the sixteenth day of March, in the year last aforesaid, the Court pass the following order to wit:

Ordered this 16th day of March 1869. That the within Auditor's Report be ratified and performed, no cause to the contrary appearing; and the trustee is directed to pay over accordingly (the shares of the minors to be paid to their guardians) He is directed to distribute rateably the interest received among the distributees that due the minors to be paid to their guardian to be expended in the support of the minors.

And thereupon further process of and upon the premises aforesaid, was by the order of the Court here discontinued

(Further proceedings carried to 399)

James Walters, Clerk

McKenney Co
W. D. Newnam, Garnishee
of Milbor C Stephens

It is remembered that on the seventeenth day of May in the year eighteen hundred and seventy one, John M. Harper, in pursuance of the provisions of the Code of Public General Laws of the State of Maryland in such cases made and provided, filed in the Circuit Court for Queen Annes County the following papers: to wit:

Queen Annes County, Sec: State of Maryland: Do James H Straughn Constable of said County: Greeting:

Whereas on the 12th day of Sept. 1869 before me a Justice of the Peace of the said State in & for Queen Annes County, a certain McKenney & Co by the the judgment of the said Justice of the Peace recovered against a certain Milbor C Stephens, the sum of \$74.89 debt with interest thereon from the 12th day of Sept. 1870 until paid and \$0.40 costs:

Therefore you are hereby Comanded to attach any of the Lands tenements Goods Chattels & Credits of the said Milbor C Stephens if they shall be found in your bailiwick to the value of the debt costs and Charges aforesaid and when you have the same so attached or any part thereof, the same in your Custody safe keep so that you have the same before me at my office in Centreville on the 14th day of Sept. 1870 at 3 o'clock P.M. then and there to be condemned according to the act of a Assembly in such case made & provided, to & for the use of McKenney & Co unless the said Milbor C Stephens shall come then & there in person or by lawful attorney and show sufficient cause to the contrary and you likewise are Comanded by good lawful men of your Bailiwick to make known to such person in whose hands or possession the said rights Credits goods or Chattels of the said Milbor C Stephens shall be attached, that he she or they be and appear before me at the day hour & place aforesaid to show cause (if he she or they have any) why the said goods Chattels & Credits so as above laid in his or their hands attached should not be condemned and execution thereof had & made as in other cases of recoveries and judgments given in Courts of record according to the act of a Assembly aforesaid if to him her or them it shall seem meet how you shall execute this writ make known unto the subscriber a Justice of the Peace in & for said County on the day & at the place aforesaid & have you then & there this writ: Witness the subscriber a Justice of the Peace of the said State in & for the County aforesaid who hath hereunto set his hand & seal this 12th Sept. 1870

R Goldsborough Prae Rights and Credits of Milbor C Stephens attached in the hands of D D Brown, admr: of Mrs. S Cooper to the amount of \$7.39: D Spencer Wright to the amount of \$14.45: Est. Davis to the amount of \$6.68 and D. Wesley Story to the amount of \$4.25: by virtue of therein writ of Attachment Sept 13/70

McKenney & Co
W. D. Newnam Garnishee
of Milbor C Stephens

J H Straughn: Const: Rights & Credits attached, on a note dated July 1/70 for \$100. Garnishee appears and answers dec defendant on said note Sept. 14th 1870 Indgt.

of Condemnation against rights & credits of Milbur C Stephens
in said note against Debt. in favor of Pltff. for \$94.90 & \$5.85
Costs of attachment & 40 cts Original Costs. Copy to Clerk;
Difa issued Sept. 14/71 to J N Straughn Const. returnable 22 Oct.
1870 May 17/71 Difa returned executed & papers filed with CLK
R. Goldsborough J.P

A True Copy Copy from my docket
Just R Goldsborough J.P

Know all men by these presents. That we Wm McKenney & Jas.
M Harper under the firm of McKenney & Co & J Hersey Hall all
of Queen Anne's County in the State of Maryland are held and
& firmly bound Milbur C Stephens in the of Two Hundred
Dollar lawful money of the United States to be paid to the
Said Milbur C Stephens or his certain attorney executors
or administrators or assigns; for which payment well and
truly to be made and done we bind ourselves and our respec-
tive heirs executors and administrators jointly & severally for-
mly by these presents sealed with our Seals and dated this 14th day
September 1870; Whereas in a certain case of attachment pend-
ing before R Goldsborough a Justice of the Peace in & for Queen
Anne's County wherein the said Wm McKenney & John M Harper
under the firm of McKenney & Co. is Plaintiffs and the said Milbur
C Stephens is defendant, certain rights & credits on a note due from
Wm D Newnam date July 1st 1870 for \$100 which were att-
ached as per return in said case, were on the 14th day of
September 1870 by the consideration and judgment of said
Justice condemned as the proper rights & credits of the said
Milbur C Stephens for the use of the said McKenney & Co, according
to the act of Assembly in such case made & provided: and
whereas at the request of the said McKenney & Co and upon
giving their Bond, the said Justice is about to award an
Execution of fieri facias upon said judgment of condemnation
for the use of the said McKenney & Co to satisfy the debt alleged
in the proceedings in said attachment to be due from the said
Milbur C Stephens to the said McKenney & Co and \$5.85 the
costs of said attachment and the additional costs of the
Execution so to be awarded: Now the Condition of the above
& foregoing obligation is such that if the said Wm McKenn-
ey & John M Harper under the firm of McKenney & Co shall
and do well & truly make restitution to the said Milbur C
Stephens of the rights & credits so as aforesaid condemned
or the value thereof and shall also pay such damages as
may be awarded to the said Milbur C Stephens if the said
Milbur C Stephens at any time within twelve months and a day
from the 12th day of Sept. 1870 being the date of issuing said att-
achment come before the said Justice of the Peace either
in person or by his agent and make it appear that the said
Plaintiff hath been and is satisfied and paid the said
debt or show that it ought not to be paid or that the
said Milbur C Stephens was not indebted to the said McKenney
& Co at the time of issuing said attachment, then the above
obligation is to be void, otherwise to remain in full force

virtue in law.

Just
R Goldborough

Wm McKenney Esq
John M Harper Esq
J Hery Hall Esq

On the back of the foregoing "Bond", was thus endorsed, to wit:
Received + approved by me Sept. 14. 1870.

R Goldborough J.P.

The State of Maryland, to Jas H Straugh a Constable, in and
for Queen Annes County District;

Whereas R Goldborough Esquire, one of the Justices of the Peace
in and for the County aforesaid, on the 12th day of September in
the year One thousand eight hundred and Seventy, did issue a
certain writ of attachment on Judgment for McKenney & Co
directed to James H Straugh a Constable of said County
Commanding him to attach and safe keep the lands, tenements
Goods, Chattels, rights and Credits of Melbur C Stephens to satisfy
unto the said McKenney & Co the sum of \$94.59 cents lawful money
of the United States, a certain debt alleged by the said McKenney & Co
to be due and owing them from the said Melbur C Stephens and
and the Costs of said attachment, according to the form of act of
Assembly in such Case made and provided; And Whereas, the
said Jas H Straugh as Constable aforesaid, did afterwards
return said writ, as he was thereby required, to the said Justice
and did certify to the said Justice that by virtue thereof he had
attached certain rights & Credits of Melbur C Stephens in a note
dated July 1st 1870 for \$100, against Wm. J. Newnam as Garn-
ishes of said Melbur C Stephens as by Schedule thereof returned
with said writ doth appear: And whereas, afterwards, to wit: on
the 14th day of Sept. in the year One thousand eight hundred and
Seventy by the Consideration and Judgment of the said Justice the said
rights & Credits were condemned as of the proper rights & Credits
of the said Melbur C Stephens to satisfy the said McKenney & Co
the debt and Costs aforesaid according to the act of Assembly
in such Case made and provided: And whereas, on the 14th
day of September in the year One thousand eight hundred
and Seventy, the said McKenney & Co, did before the said Justice
give bond with Security, as directed by said Justice, to and for
the use of the said Melbur C Stephens Conditioned to make resti-
tution of the said Goods and Chattels as aforesaid condemned, or
the value thereof, &c, according to the form of the act of Assembly
in such Case made and provided: Whereupon the said Justice, on
the day and Year last aforesaid, at the County aforesaid, did
award Execution of Fieri Facias to be had and made of the
said Goods and Chattels, so as aforesaid condemned, towards satis-
fying unto the said McKenney & Co as well the sum of \$94.90 lawful
Money (with interest if any) as the sum of five dollars and Eighty five
cents, like lawful Money, adjudged to him for his Costs, by him laid
out and Expended in the prosecution of said writ of Condemnation
and additional Costs hereon: You are therefore hereby commanded,
that of the Goods and Chattels of the said Wm. J. Newnam being in
the County aforesaid, you cause to be made and levied the debt interest
and Costs aforesaid, and have you the Money before me on the

22nd day of Oct. next to render the said McKenney the debt interest and costs aforesaid. Hereof fail not, and have you then and there this writ: Witness the subscriber, a Justice of the Peace of the said state, in and for Queen Annes County, who hath hereto set his Hand and Seal this 14th day of Sept. in the year of our Lord, One thousand Eight Hundred and Seventy.

On the back of the foregoing Writ was thus endorsed
to wit: A Goldsborough J.P.
1871: The execution of this Writ appears by certain Schedules thereto annexed. May 16th

The Schedules referred to in a foregoing return, are as follows
to wit: James H. Straughn, Dist.

A Schedule of the Goods and Chattels, Lands and tenements of W. D. Newnam, taken in Execution on the 14th day of September 1870, by virtue of the accompanying writ of fieri facias, at the suit of McKenney & Co vs W. D. Newnam, Jurishee of Albur & Stephens, issued by A Goldsborough Esq. and to me directed - to wit: The house and lot of land situate at Clannahan's Shops, in Queen Annes County, adjoining the lands of Jerry Seaverton and others fronting on the road leading from Clannahan's Shops to the road leading from Brown's Corner to the Brick "School House". Containing One acre more or less One hog & two Shoats, taken to satisfy the said writ of Writ and Costs thereon

By virtue of the annexed writ of fieri facias to me directed by A Goldsborough Esq., I seized the lands and tenements and real Estate of the within named William D. Newnam that is to say, the House and lot described in the accompanying schedule dated Sept. 14, 1870 and having caused notice (of which that annexed to this return is a Copy) to be published at least twenty days before the day of Sale in the Centreville Observer, a newspaper in said Queen Annes County and to be set up at the Court House door of the County. I exposed the said land and tenements to sale at public Auction on the sixteenth day of May 1871, between the hours of 1 & 5 O'clock P.M. in front of the Court House in Centreville; at which time and place John M. Harper bid the sum of two hundred dollars in cash, therefor which being the highest bid that was offered, I sold the said property to the said John M. Harper for the said sum of two hundred dollars Cash, and now make return of my proceedings in and about the premises according to law.
Centreville May 17, 1871.

By virtue of Our Writ of fieri facias issued by Robert Goldsborough, a Justice of the Peace of the State of Maryland, in and for Queen Annes County and to me directed at the suit of McKenney & Co. against the Goods and Chattels, lands and tenements of W. D. Newnam, Jurishee

of M. C. Stephens. I have seized levied upon and taken in Execution all the right title interest and Claim of the said defendant in Law and in Equity to that House and Lot of Land situate at Clannahans Shops, in Queen Annes County, adjoining the lands of Geary Leaverton and others, fronting on the road leading from Clannahans Shops to the road leading from Browns Corner to the Brick Schoolhouse, and containing one acre more or less. Notice is hereby given that under and by virtue of said writ and authority I will sell at public sale, to the highest bidder for Cash only, in front of the Court House, in Centreville, Tuesday, the 16th day of May, 1871 between the hours of 1 and 5 O'clock P.M., the above property so seized and levied upon and taken in Execution to pay and satisfy the above writ, debt, interest and Costs, now due and to become due thereon

J. W. Straughn,

Ap. 25, 1871 vs § 5, 63

Const.

And now at this day, to wit, on the twentyfourth day of July in the year Eighteen Hundred and seventy one, the Circuit Court for Queen Annes County, passed the following Order, to wit,

McKenny & Co

vs
Fifa on judgment

M^{rs} J. Newnam, Garnishee
of Wilbur C. Stephens

John M. Harper, having purchased the real estate of the above named Melian J. Newnam at a sale thereof in virtue of an Execution issued on the above judgment, made on the fifteenth of May, in the year 1871, by J. W. Straughn, Constable, hereby gives notice to all persons interested that he intends to apply to the Circuit Court for Queen Annes County at its session to be held in Centreville on the first Monday of November 1871, for a confirmation of said sale when and where the said defendant or his Creditors, or any other person claiming interest in the matter, will have an opportunity to state their objections, if any they have, why said sale should not be confirmed and for that purpose are hereby warned to appear. The property purchased by the J. M. Harper consists of a lot of land, with a house thereon, situate at Clannahans Shops, in Queen Annes County adjoining the lands of Geary Leaverton and others, fronting on the road leading from Centreville to Church Hill, or from Clannahans Shops to the road from Browns Corner to the Brick Schoolhouse, containing one acre more or less, and was struck off to the said J. M. Harper for the sum of two hundred dollars.

J. M. Harper.

Hampson & Gordon, Solicitors

And Afterwards, to wit: at a Circuit Court begun and held at Centreville, in said County on the first Monday of November in the year Eighteen Hundred and seventy one, the following Certificate was filed in the said Court.

McKenny & Co

vs
Fifa on Judgment,

M^{rs} J. Newnam Garnishee

of Milner Stephens $\frac{2}{3}$ John M Harper Having purchased the Real Estate of the above named William J Newnam, at a sale thereof in virtue of an Execution issued on the above judgment made on the sixteenth day of May, in the year 1871. By J. H. Straughn, Constable, hereby gives notice to all persons interested, that he intends to apply to the Circuit Court for Queen Annes County at its Session to be held in Centreville on the first Monday of November 1871, for a Confirmation of said Sale, when and where the said Defendants, or his Creditors, or any person claiming interest in the matter, will have an opportunity to state their objections if any they have; why said Sale should not be confirmed, and for that purpose are hereby warned to appear: The property purchased by the said Jno. M Harper, consists of a lot of land, with a house thereon, situate at Cannahan's Shops, in Queen Annes County, adjoining the lands of Gary Leaverton and others, fronting on the road leading from Centreville to Church Hill, or from Cannahan's Shops to the road from Brown's corner to the Brick School house, containing one Acre more or less, and was struck off to the said Jno. M Harper for the sum of two hundred dollars.

Jno. M Harper
Thompson & Needon, Solicitors
Ordered this 24th day of July, 1871, by the Circuit Court for Queen Annes County, that the Sale above mentioned be ratified and confirmed, unless Cause to the contrary be shown on or before the first Monday of November next; provided a Copy of the above notice and this order, be inserted in some Newspaper published in the town of Centreville, Queen Annes County, once in each of three successive weeks prior to the first day of October next,
Jos. A. Mickes

True Copy
Just: James Heaters, Clerk
I certify that the annexed notice was published in the "Centreville Observer", a newspaper published in the town of Centreville, Queen Annes County once in each of three successive weeks prior to first day of October 1871

W. H. Basted
And thereupon the said Court passed the following Order,
to wit:

McNemey & Co
vs
Jno. J. Newnam Garnishes
of Milner C Stephens
D. I. fa on judgment

Ordered this 11th day of November 1871, by the Circuit Court of Queen Annes County, that the sale made and reported by Jno. H. Straughn, Constable, by virtue of the above Execution, be hereby finally ratified and confirmed, no Cause to the contrary having been shown, although notice appears to have been given, as directed by

a previous order;

Jos. A. Mickes
 Esq: M Robinson

George B. Westcott
 vs
 N. E. B. Faithful

Be it remembered, that on the eighth day of November in the year eighteen hundred and seventy one George B. Westcott, by Charles T. Westcott, Esquire, his Solicitor, filed in the Circuit Court for Queen Anne's County, his Bill of Complaint against the said N. E. B. Faithful in the following words, to wit:

George B. Westcott
 vs
 N. E. B. Faithful

In the Circuit Court for Queen Anne's County, In Equity

To the Honorable Circuit Court for Queen Anne's County sitting in Equity: The Bill of Complaint of George B. Westcott of Kent County, State of Maryland humbly Shows; That heretofore, to wit on the twentieth day of August in the year eighteen hundred and fifty six a certain N. E. B. Faithful of Queen Anne's County and State aforesaid being indebted unto your Orator in the sum of Three Thousand and twenty eight dollars and forty eight cents Current money, and intending to secure the payment thereof unto your Orator, did by his deed of that date in which his wife Sarah C. Faithful joined; Convey unto your Orator and his heirs certain Real Estate lying in said County and particularly described in said deed, to which said deed there is a Condition annexed, that it be void on payment by the said N. E. B. Faithful to your Orator of the aforesaid sum of money with interest thereon from the first day of January eighteen hundred and fifty seven in manner and form following to wit: the sum of One thousand and twenty eight dollars and forty eight cents part thereof on or before the first day of January, eighteen hundred and fifty nine, and Two thousand dollars the balance on or before the first day of August in the year eighteen hundred and Sixty six, the interest in the meantime to be paid semi-annually as by the said Original deed marked Exhibit A, filed herewith as part of this Bill will more fully appear.

And your Orator further Charges that afterwards, to wit: on the thirtieth day of April in the year eighteen hundred and sixty, the said N. E. B. Faithful, being indebted unto your Orator in the further sum of nineteen hundred and seventy one dollars and fifty two cents Current money and intending to secure the payment thereof unto your Orator, did by his deed of that date in which his wife Sarah C. Faithful joined, Convey unto your Orator and his heirs certain Real Estate lying in said County of Queen Anne's and particularly described in said deed, to which said deed there is a Condition annexed that it be void on payment by the said N. E. B. Faithful to your Orator of the aforesaid sum

of money with interest thereon from the thirtieth day of April
 eighteen hundred and sixty on or before the first day of January
 eighteen hundred and sixty three, and said interest to be paid
 semiannually, as by said Original Deed, marked Exhibit B, filed
 herewith as part of this Bill will more fully appear. And your
 Orator further charges that afterwards, to wit: on the second
 day of January in the year eighteen hundred and sixty three,
 the said W. E. Faithful, became indebted unto your Orator
 in a still further sum of money to wit: the sum of Two
 Thousand Three hundred and fifty dollars Current money,
 and for the purpose of securing the payment thereof unto
 your Orator, did by his deed of that date, in which Sarah
 E. Faithful his wife joined - Convey unto your Orator and
 his heirs certain real Estate lying in said County and
 particularly described in said deed, to which said deed
 there is a condition annexed, that it be void on pay-
 ment by the said W. E. Faithful to your Orator of the
 aforesaid sum of money with the interest and taxes thereon
 from the first day of January in the year eighteen hundred
 and sixty four on or before the first day of January eight-
 teen hundred and sixty seven, the interest in the meantime
 to be paid half yearly, as by said Original deed marked
 Exhibit "C" filed herewith as part of this Bill will more
 fully appear. - And your Orator admits that the
 interest on the said sum of Three Thousand and Twenty eight
 dollars and forty eight Cents, which accrued prior to and
 on the first day of January eighteen hundred and seventy
 has been paid unto him by the said W. E. Faithful
 But he insists that the whole of the said principal sum
 with interest accrued thereon since the last mentioned day
 is still due and owing to him. - And your Orator also
 admits that the interest which accrued due prior to and
 on the fifteenth day of March, Eighteen hundred and seventy
 on the second of said sums namely - nine ten hundred
 and seventy one dollars and fifty two Cents has been
 paid unto him by the said W. E. Faithful. But he insists
 that the whole of the said principal sum above mentioned,
 with interest accrued thereon since the fifteenth day of
 March, Eighteen hundred and seventy, is still due and ow-
 ing to him; - And your Orator further admits that the
 interest on the last of said mortgage debts, namely the sum
 of Two Thousand Three Hundred and fifty dollars, which
 accrued due prior to and on the first day of Septem-
 ber eighteen hundred and sixty nine, has been paid
 to him by the said W. E. Faithful; - But he insists that
 the said principal sum with the interest and taxes accu-
 ed thereon since the last mentioned day is still due and
 owing to him; - To the end therefore that the said W. E.
 Faithful (Sarah E. Faithful his aforesaid wife having
 departed this life) may answer the several matters
 and things herein before stated, as fully and particularly
 as if they were herein again repeated and he was there-

unto specially interrogated, and that the premises aforesaid or so much thereof as may be necessary may be sold for the payment of your Orator's Claims with interest and taxes as aforesaid, and that your Orator may have such further or other relief as his Case may require.

May it please your Honorable Court to grant unto your Orator the writ of Subpoena against the said W. B. Faithful of Queen Anne's County aforesaid, commanding him to appear in this Court at some certain day to be therein named, to answer the premises and abide by and perform such decree as may be passed therein. And as in duty lies.

C. F. Westcott.

Sol. for Compl.

The Exhibits referred in the aforesaid Bill of Complaint, are in the words following, to wit:

This mortgage made this twentieth day of August in the year eighteen hundred and fifty six between William B. Faithful and Sarah his wife of Queen Anne's County in the State of Maryland, of the one part, and George B. Westcott of Kent County, in the State of Maryland, of the other part. Whereas the said William B. Faithful by his bond or obligation duly executed bearing even date with these presents stands bound unto the said George B. Westcott, in the sum of six thousand dollars current money, with a condition thereunder written for the payment of three thousand & twenty eight ^{tho} dollars current money with legal interest for the same from the first day of January next ensuing in manner and form following; the sum of one thousand twenty ^{tho} dollars part thereof on or before the first day of January in the year eighteen hundred and fifty nine, and two thousand dollars the balance on or before the first day of August in the year eighteen hundred and fifty six, the interest in the meantime to be paid annually as by the said bond and condition may more fully appear. Now this indenture witnesseth, that in consideration of said debt or sum of money, owing to the said George B. Westcott as aforesaid and for the purpose of better securing the payment thereof with interest as aforesaid they the said William B. Faithful and Sarah his wife do grant unto the said George B. Westcott all those tracts or parts of tracts of land situate and lying in Queen Anne's County and the State of Maryland called "Locust Forest" part of "Piner's Lodge" and part of "Clouds Adventure" or by whatsoever name or names the same may be called or known, they being the same tracts or parts of tracts of land which were conveyed to the said William B. Faithful and Sarah his wife by N. S. Westcott of Kent County aforesaid by deed bearing date on or about the first day of August in the year eighteen hundred and fifty six, provided that if the said William B. Faithful and Sarah his wife shall well and truly pay the said sum of money and interest according to the condition of the above in part recited bond or obligation, then this mortgage shall be void, and the said William B. Faithful and Sarah his wife do hereby covenant with the said George B. Westcott to pay him the said sum of money in manner and

and form following, that is to say, the sum of ten Hundred & twenty eight th Dollars part thereof on or before the first day of August in the year Eighteen hundred and forty nine, and the sum of two thousand Dollars current money the balance on or before the first day of August in the year Eighteen hundred and sixty six, and to pay in the meantime all the legal interest annually; and they further covenant, that if said interest or any part thereof shall remain ever due or unpaid for one year the whole of said debt and interest shall become due and payable. In witness whereof the William E B Faithful and Sarah his wife have hereunto set their hands and seals the day and year first herein before written.

Signed sealed & delivered
in the presence of
A. A. Forman

W. E. B. Faithful *Seal*
Sarah E. Faithful *Seal*

State of Maryland Queen Annes County Set:
I hereby certify that on this twentieth day of August in the year Eighteen hundred and fifty six, before the Subscriber one of the Justices of the peace of the State of Maryland, in and for Queen Annes County aforesaid personally appeared William E B Faithful and Sarah his wife of the said County, and did each acknowledge the foregoing Mortgage to be their respective act.

A. A. Forman J.P.

State of Maryland, Queen Annes County, Set:
On this twentieth day of August in the year 1856 before me the subscriber a justice of the Peace of the State of Maryland in and for Queen Annes County personally appeared the within named George B. Metcott and made oath on the holy Evangelly of Almighty God that the consideration set forth in the foregoing Mortgage is true and bona fide as therein stated. In testimony whereof I have hereunto set my hand.

A. A. Forman J.P.

This Mortgage made the thirtieth day of May Eighteen hundred and fifty between William E B Faithful and Sarah Eliza his wife of Queen Annes County in the State of Maryland of the one part, and George B Metcott of Kent County and State aforesaid of the other part: Whereas the said W E B Faithful by his bond or obligation duly executed bearing even date with these presents stands bound unto the said George B Metcott in the sum of Thirty five Hundred dollars current money, with a condition thereunder written for the payment of Nineteen Hundred seventy one dollars and fifty two Cents with legal interest thereon Semi-annually to be paid from the date of these presents, and the principal \$1971 ³³/₁₀₀ on or before the first day of January Eighteen hundred and Sixty three as by bond and Condition may more fully appear: Now this indenture witnesseth, that in consideration of the said debt or sum of money owing to the said George B Metcott as aforesaid and for the purpose of better securing the payment thereof with interest as aforesaid they said William E B Faithful and Sarah his wife do grant unto the said George B Metcott, all those Tracts or parts of tracts of land situate lying in Queen Annes County and the State of Maryland called "Locust Street" part of

"Porters Lodge" and part of "Clarks Adventure" or by whatsoever name or names the same may be called or shown, they being the same Tracts or parts of tracts of land which were conveyed to the said William E. Faithful and Sarah his wife by N. S. Westcott of Kent County by deed bearing date on or about the first day of August in the year Eighteen hundred and fifty six; provided that the said William E. Faithful and Sarah his wife shall well and truly pay the said sum of money and interest according to the condition of the above in part recited bond or obligation. then this Mortgage shall be void. and the said William E. Faithful and Sarah his wife do hereby covenant with the said George B. Westcott to pay him the said sum of money in manner and form following. that is to say, the sum of nineteen hundred seventy one dollars and fifty two cents on or before the first day of January in the year Eighteen hundred and sixty three and the legal interest in the meantime to be paid semi-annually. and they further covenant that if said interest or any part thereof shall remain over due or unpaid for one year the whole of said debt shall become due and payable. In witness whereof the said William E. Faithful and Sarah his wife have hereunto set their hands and seals the day and year first herein before written signed sealed and delivered

M. E. Faithful *[Signature]*
Sarah E. Faithful *[Signature]*

In the presence of
R. W. Wilson

State of Maryland Queen Annes County Court
I hereby certify that on this 30th. day of April 1860 before me the subscriber a justice of the Peace for the County and State aforesaid personally appeared M. E. Faithful and Sarah his wife of the County and State aforesaid and did each acknowledge the annexed Mortgage to be their respective act.

Acknowledged before
R. W. Wilson J.P.

State of Maryland Queen Annes County Court
I hereby certify on this 30th. day of April 1860 before me the subscriber a justice of the Peace for the County and State aforesaid personally George B. Westcott of Kent County Maryland and made oath on the Holy Evangelly that the consideration set forth in the annexed Mortgages is true and for a bona fide consideration as therein set forth in testimony whereof I have hereunto set my hands.

R. W. Wilson J.P.

U.S. Notary Public No. 1084 507 S. E. St. 507 Jan'y 2 1864	U.S. Notary Public No. 1084 507 S. E. St. 507 Jan'y 2 1864	U.S. Notary Public No. 1084 507 S. E. St. 507 Jan'y 2 1864	U.S. Notary Public No. 1084 507 S. E. St. 507 Jan'y 2 1864
--	--	--	--

This mortgage and Indenture made this second day of January in the year of our Lord one thousand eight hundred and sixty three by and between William E. Faithful and Sarah Eliza Faithful his wife of Queen Annes County and State of Maryland of the one part. and George B. Westcott of Kent County and State of Maryland of the other part: Whereas the said William E. Faithful is indebted unto George B. Westcott in other sum of two thousand three hundred and fifty dollars current money with interest from the first day of January Eighteen hundred and sixty four payable on or before the first day of January Eighteen hundred and sixty seven and the said

interest half yearly, and for the purpose of securing the payment thereof, the said William E. B. Faithful and Sarah Eliza Faithful have agreed to execute these presents: - Now this Indenture of Mortgage Witnesseth, that in Consideration of the premises and of the said sum of money owing as aforesaid, the said William E. B. Faithful and Sarah Eliza Faithful do Grant, bargain and sell, release and confirm, unto the said George B. Westcott, his heirs and assigns, all those tracts or parts of tracts of land lying and being in Queen Anne's County and State of Maryland called "Locust Forest" and "Perten Lodge" and "Clouds Adventure" being the same lands that were conveyed to the said William E. B. Faithful and Sarah Eliza his wife by deed bearing date on or about the first day of August in the year Eighteen hundred and fifty six, by N. J. Westcott and which are contained in a Deed of Mortgage from the said William E. B. Faithful and wife to the said George B. Westcott bearing date the thirtieth day of April in the year Eighteen Hundred and sixty, and recorded in Liber M.B. No. 1 pages 320 and 321 one of the land record books for Queen Anne's County; Also all that or parcel of land situate in Queen Anne's County in the State of Maryland, called "Haines or Hackett's Purchase" containing one hundred and twenty four acres three rods and fourteen perches of land more or less, being the land that was conveyed by Lloyd Tilghman Esq. Trustee to William W. Fadden, on or about the thirteenth day of January 1859, and recorded in Liber M.B. No. 1 page 809. One of the land record books for Queen Anne's County, and which on the first day of January Eighteen Hundred and sixty four was conveyed by William W. Fadden & wife to the said William E. B. Faithful and Sarah Eliza his wife, as by reference thereto will more fully and at large appear, containing about ninety acres more or less, and also about eighty four acres of land which was conveyed by George B. Westcott and Richard Hyson Trustees for sale of Dr. George O. Trenchard's lands, to said William W. Fadden; To Have and to Hold, the said, the said Real Estate unto the said George B. Westcott his heirs and assigns; Provided always and it is the true intent and meaning hereof, that if the said William E. B. Faithful or Sarah Eliza Faithful their heirs Executors, administrators shall pay or cause to be paid, to the said George B. Westcott his Executor, administrators or assigns, the said just and full sum of Two thousand three hundred and fifty dollars with interest from the first day of January Eighteen Hundred and sixty four, on or before the first day of January Eighteen hundred and sixty seven, and to pay the said interest half yearly; then this Deed of Mortgage shall cease and be utterly null and void; anything herein contained to the contrary thereof - in anywise, notwithstanding. And it is further agreed and provided, that until default of payment, the said William E. B. Faithful and wife shall possess the premises. And the said William E. B. Faithful and Sarah Eliza Faithful jointly and severally covenant with said George B. Westcott his Executors, administrators or assigns to pay the said sum of Two thousand three hundred and fifty dollars and interest

at the times hereinbefore mentioned, and to pay all taxes, assessments and public Charges on the said sum and interest, and also all Commissions and Charges for collecting said sum of money and interest or any part thereof: Witness Our hands and Seals on the day and year first herein before written

signed sealed, and delivered in the presence of Henry M Earnest.

W E B Faithful Esq Sarah E Faithful Esq

State of Maryland Kent County, to wit:

Be it remembered, that on this second day of January in the year of our Lord One thousand Eight hundred and sixty four personally appeared William E B Faithful and Sarah Eliza Faithful his wife of Queen Annes County aforesaid, and the parties Mortgagees within named before the subscriber one of the State of Maryland's Justices of the Peace in and for Kent County aforesaid and did each acknowledge the within and a foregoing Deed of Mortgage, to be their respective act and deed, according to the purport, proviso, true intent and meaning thereof, and the Acts of Assembly in such Cases, made and provided.

Acknowledged before, and taken, and Certified, the day and year above written. Henry M Earnest.

The State of Maryland: Kent County, to wit:

Be it remembered that on this second day of January in the year of our Lord One thousand eight hundred and Sixtyfour personally appeared George B Metcatt of Kent County and the party Mortgagee in the within and a foregoing Deed of Mortgage before the subscriber a Justice of the Peace of the State of Maryland in and for Kent County aforesaid, and made oath on the Holy Evangelly of Almighty God that the Consideration in said Mortgage is true and bona fide as therein set forth.

Sworn before, Henry M Earnest J.P.

State of Maryland, Kent County, Set.

Shereby Certify, that Henry M Earnest, Esq, before whom the annexed acknowledgment & affidavit was made, was at the time of so doing one of the Justices of the Peace of the State of Maryland, in and for the fourth Election District of Kent County duly Commissioned and qualified according to law.

W E B Faithful Seal of the Circuit Court for Kent County

In Testimony Whereof, I hereto subscribe my name and affix the seal of the Circuit Court for Kent County, this second day of January A.D., 1864

Jesse H. Nines, Clerk

Whereupon Subpoena was issued for the said W E B Faithful according to the prayer of the Complainant; and on which said subpoena was thus endorsed "To Lie in Office" - And thereupon the said W E B Faithful voluntarily appears in Court here, by Thomas J. Keating Esquire, his Solicitor.

And thereupon the said W E B Faithful, by his solicitor aforesaid files in Court here, his answer to the said Bill of Complaint, in the following words, to wit:

The answer of W E B Faithful to the Bill of Complaint of George B Metcatt against him, in the Circuit Court for

Executed by himself with surety or sureties to be approved by such Clerk in the penalty of Twenty Thousand Dollars, conditioned for the faithful performance of the trust reposed in him by this decree or which maybe reposed in him by any future decree or order in the premises - He shall then proceed to make sale of the said mortgaged premises, having first given at least three weeks previous notice inserted in some newspaper printed in Queen Annes County of the time, place, manner and terms of sale, which terms shall be Cash, to be paid on the day of sale or on the ratification thereof by this court, at the option of the Trustee. And as soon as may be convenient after such sale, the said Trustee shall return to this court a full and particular account of the same, with an Affidavit of the truth thereof, and of the fairness of such sale annexed, and on the ratification of such sale or sales by this court and on the payment of the whole purchase money (and not before) the said Trustee, by a good and sufficient deed to be executed and acknowledged agreeably to law, shall convey to purchaser or purchasers of said property, and to his, her or their heirs, the property to him, her or them sold, free clear and discharged of all claim of the parties to this cause, or of any person or persons claiming by, from or under them - And the said Trustee shall bring into this court the money arising on such sale, to be disposed of under the direction of this court, after deducting therefrom the costs of this suit and such commissions to the said Trustee as this court shall think proper to allow in consideration of the skill, attention and fidelity where-with he shall appear to have discharged his trust.

Do, A. Wickes

And on the same day and year aforesaid, Charles F. Westcott, the Trustee named in said decree, files in court here, the following Bond with the endorsement thereon, to wit

Know all men by these presents, that we C. F. Westcott, George B. Westcott and Richard Hynson of Kent County in the state of Maryland are held and firmly bound unto the state of Maryland in the just and full sum of Twenty thousand Dollars current money to be paid to the state of Maryland or its certain attorney, to which payment well and truly to be made and done, we bind ourselves, and each of us, our and each of our heirs, Executors and administrators, jointly and severally, firmly by these presents sealed with our seals and dated this eighth day of November in the Year Eighteen hundred and seventy one:

Whereas by a decree of the Circuit Court for Queen Annes County, sitting in Equity, bearing date on the eighth day of November in the Year Eighteen hundred and seventy and passed in a cause in said court wherein George B. Westcott is Complainant and the B. Faithful is defendant, the above bound C. F. Westcott has been appointed Trustee to make sale of certain Real Estate in the proceedings in said Cause mentioned or so much thereof as may be necessary for the purpose therein stated -

Now the condition of the aforesaid obligation is such, that if above bound C. F. Westcott do and shall well and faithfully perform the trust reposed in him by said decree, or that

may be reposed in him by any future decree or order in the premises then the within obligation to be null and void, otherwise to be and remain in full force and virtue in law

signed, sealed and delivered
in the presence of
J. W. Hines

C. J. Westcott Seal
Geo B Westcott Seal
R. Hymson Seal

Security approved and bond filed the 8th day of November 1871
James Meeters, Clerk

Circuit Court for Queen Annes County

And on the Eleventh day of December in the year eighteen hundred and seventy one, the said Charles J. Westcott, the Trustee, made the following report of sale, to wit, No. 9.

George B Westcott

In the Circuit Court
for Queen Annes County

vs
W. E. B. Faithful

In Chancery

To the Honorable Circuit Court for Queen Annes County sitting in Equity—

The Report of C. J. Westcott, Trustee, appointed by the decree in this Cause, to make sale of certain real estate therein mentioned, shows; that after giving bond with security for the faithful performance of his trust, as required by said decree, and giving notice of the time, place, manner and terms of sale by advertisement in the Maryland by advertisement in the "Maryland Citizen" a newspaper printed at Centerville, in said Queen Annes County, or more than three successive weeks before the day of sale, he did pursuant to said notice attend at Church Hill in said County, on Monday the fourth day of December in the year eighteen hundred and seventy one, at three o'clock P.M. and then and there, proceeded to sell said Real Estate as follows:— First your Trustee offered at public sale to the highest bidder, all that tract, farm, or parcel of land called "Clouds Adventure's" "Stacks Purchase" or as commonly called the "McFadden farm," situate near Church Hill in Queen Annes County aforesaid, containing one hundred and seventy four acres, more or less, which was conveyed to said W. E. B. Faithful and wife by one Mrs. M. Fadden and wife by deed dated the twenty sixth day of January in the year eighteen hundred and sixty four, duly recorded among the Land Records for Queen Annes County aforesaid in Liber D. C. D. No. 1 folio 198, and sold the same to Geo B Westcott, he being then and there the highest bidder, therefor at and for the sum of five thousand dollars Cash— Your Trustee then offered at public sale, all that tract, or tracts of land called "Locust Forest" "Porters Lodge" and part of "Clouds Adventure" situate and lying in said County of Queen Annes, and adjoining the former tract, containing three hundred and six acres more or less, which were conveyed to said W. E. B. Faithful by N. J. Westcott and wife, by deed dated the first day of August in the year eighteen hundred and fifty six, and recorded among the Land Records for Queen Annes County aforesaid in Liber D. C. D. No. 3 folio 39, and sold the same to Geo B Westcott, he being then and there the highest bidder therefor, at and for the sum of six thousand dollars Cash.

Respectfully Submitted
C. J. Westcott.

Kent County, to wit:

On this ninth day of December - in the year Eighteen hundred and seventy one before the subscriber a Justice of the Peace of the State of Maryland in and for Kent County, personally appeared the within named C. B. Westcott, Trustee, and made oath in due form of law that the matters and things stated in the foregoing Report are true to the of his knowledge and belief, and that the sales therein reported were fairly made

J. M. Russell. J.

State of Maryland, Kent County, Set:

I hereby Certify, That J. M. Russell Esq., before whom the annexed Affidavit was made, was at the time of so doing one of the Justices of the Peace of the State of Maryland in and for the fourth Election district of Kent County, duly Com-missioned and qualified according to Law.

Seal of the Circuit Court for Kent County

In Testimony Whereof, I here to subscribe my name and affix the seal of the Circuit Court for Kent County, this 9th day of December A.D., 1871.

Jesse K. Hines, Clerk

And on the said day and year last aforesaid, the following agreement was filed - to wit:

It is agreed, that the publication of the order nisi on the report of the sale of the Real Estate of W. E. Faithful, by C. B. Westcott, Trustee, be dispensed with; and that said sale be finally ratified as therein reported, immediately

W. E. Faithful
Thos. J. Keating - sol for self
sol for Compt. E
C. B. Westcott. E

And thereupon, the Court here, pass the following order - to wit:

In the Circuit Court for Queen Anne's County - In Chancery Ordered that the sales within reported be and the same is hereby absolutely ratified and confirmed, the usual publication of the order "nisi" having been dispensed with by agreement of parties. The trustee is allowed the usual Commissions and all expenses not personal

December 11th, 1871.

Jas. A. Wickes

And afterwards, to wit: on the twenty sixth day of April in the year Eighteen hundred and seventy two, the following Certificate was filed - to wit:

This is to Certify that at the time George B. Westcott paid the three thousand dollars as set forth in the within receipt it was understood and agreed by W. E. Faithful that the said, Westcott should be reimbursed to the full amount paid by him out of the Mortgage property, and that the said Faithful's payment should be postponed behind that of said Westcott.

Thos. J. Keating

And on the day and in the year last aforesaid, Madison Brown Esquire Auditor files in Court here, the following report and Audit, to wit:

Westcott E
vs E

In the Circuit Court for Queen Anne's County

Faithful ^E In Chancery
 To the Honorable the Judges of the Circuit Court for Queen Annes County - The Report of M Brown Auditor to your Honors respectfully shows that he has stated the within account in the above case between the Real Estate of the Defendant and G. B. Westcott Trustee for the sale thereof from the papers in the cause - In this account he has charged the Trustee with the gross sales and allowed him his Commissions & Expenses, the Complainant and Defendant their Costs of suit and the Auditor's fee - This left a balance of \$1034.65 applicable to the discharge of the several Claims ascertained by the decree - Your Auditor awarded to the Complainant the principal of his mortgages and interest thereon from the times stated in the Decree, and also the State and County taxes & United States income tax by the Complainant on the third mortgage debt - And there remained a balance after paying said Claims in full of \$2035.46 which your Auditor also awarded to George B Westcott as per memorandum filed in the cause to be applied as a credit on a decree in this Court in a cause in which M Fadden is Complainant and M E B Faithful & wife are Defendants and which has been endorsed by the said M Fadden to the use of Geo. B. Westcott to secure the payment of \$3000.00 - Your Auditor further states that he brought the interest on the Claims ascertained by the Decree down to the day of sale of the Real Estate -

All which is respectfully submitted to your Honors by
 M Brown Auditor. April 26 1872.

Dr. The Real Estate of M E B Faithful in account with G B Westcott Trustee for sale thereof (M)

1871 Dec 14	To the Trustee for his Commissions		485.00
	" " for his Expenses		15.00
	To Complainant for his Costs of suit viz:		
	James Meeters, Clerk	21.80	
	G. B. Westcott, Solicitor	20.00	41.80
	To Defendant for his Costs of suit - viz:		
	James Meeters, Clerk	14.55	
	Thomas J Keating, Solicitor	10.00	14.55
	By M Brown Auditor for his fee		9.00
	By this Balance		\$1034.65
			\$11000.00
1871 Dec 4	To Geo: B Westcott for principal of Mortgage Debt Contained in Exhibit A	\$3028.28	
	Int from 1 Jan. 70 to 4 Dec. 71 = $\frac{1}{4}$ $\frac{11}{12}$ $\frac{4}{4}$	350.27	\$3378.55
	To Geo: B Westcott for principal of Mortgage Debt Contained in Exhibit B	\$1971.51	
	Int from 15 March 70 to 4 Dec. 71 = $\frac{1}{4}$ $\frac{9}{12}$ $\frac{19}{12}$	203.40	\$2174.92
	To Geo: B Westcott for principal of Mortgage Debt Contained in Exhibit C	\$2350.00	
	Int from 1 Sept. 69 to 4 Dec 71 = $\frac{3}{4}$ $\frac{3}{12}$ $\frac{3}{12}$	318.42	
	State & Co. taxes & U.S. income tax paid by Geo: B Westcott as per memorandum endorsed on Co. E	177.30	\$2845.72
	To this Bal. after paying Mort. Debts &c		2035.46
			\$10134.65

To Geo. B. Westcott this Bal. to be applied as a Credit on the Decree of Wm. W. Fadden vs Faithful & wife Endorsed to the use of said Geo. B. Westcott as per Memorandum filed - -

\$2035.46

1871
Dec. 4

By Gross Amt. of Sales as per Trustee's Report \$11000.00

By this balance applicable to the Mortgage Debts of Geo. B. Westcott as ascertained by the Decree } \$10434.15

By bal. after paying Mortgage debts & M. Thron Auditor. } 2035.46

April 26th 1872.

And on the fifteenth day of May in the year eighteen hundred and seventy two, the Court here, pass the following order, to wit:

Geo. B. Westcott
vs
W & B Faithful

In Chancery
May 15, 1872.

Ordered that the within report of the Auditor be, and the same is hereby ratified, and confirmed, and the Trustee is directed to apply proceeds accordingly

Geo. W. Robinson
Frederick Stamp.

William C. Callahan
vs
William W. Harrison

It is remembered, that on the fourteenth day of December in the year eighteen hundred and seventy, William C. Callahan by James M. Martin, Esquire his solicitor, filed

in the Circuit Court for Queen Anne's County, sitting as a Court of Equity, his Bill of Complaint against the said William W. Harrison, in the following words, to wit:

To the Honorable, the Judges of the Circuit Court, for Queen Anne's County - sitting in Equity

The Bill of Complaint of William C. Callahan of Talbot County humbly shews; that heretofore, to wit: on the thirty first day of May in the year Eighteen Hundred and sixty five, a certain William W. Harrison being indebted unto a certain John H. Rhodes in the sum of six hundred dollars with four Cents, and James C. Innis as his sureties the said James C. Innis having since departed this life and intending to secure the said sixties on said note, did by his deed of that date, convey to your Orator and the said James C. Innis since deceased, and their heirs and assigns, certain Real Estate lying and being in Queen Anne's County, called "John's Discovery" containing one hundred and sixty seven acres of land; and one lot of thirty acres and a lot of twenty acres of land, and which are particularly described in said deed; to which said deed there is a condition annexed, that if the said W. W. Harrison should pay on or before the thirty first day of May Eighteen hundred and sixty six, to the said John H. Rhodes the said sum of six hundred dollars, with the interest thereon from the thirty first

day of May in the year Eighteen hundred and sixty five. then the said deed should be void, as by said deed filed herewith marked "Exhibit A" as part of this Bill will more fully appear. — And your Orator charges that no part of the aforesaid sum of money or the interest accruing thereon, has been paid to the said John A Rhodes although the time limited for the payment thereof, by the said note and the condition aforesaid, has passed, and payment thereof, been duly demanded of the said W. W. Harrison. But the whole of said sum of money and interest as aforesaid remains due and owing to the said John A Rhodes. Your Orator further charges that the said John A Rhodes, has instituted suit upon the said note in the Circuit Court for Talbot County against him and recovered judgment thereon, and has now an Execution issued on said judgment, under and in virtue of which, he has caused the personal and real property of your Orator to be levied upon and seized, and the same is about to be exposed to sale to and satisfy the debt aforesaid.

To the end therefore that the said W. W. Harrison may answer the several matters and things herein before stated as fully and particularly as if they were herein again repeated, and he was thereunto specially interrogated; and that the premises aforesaid or so much thereof as may be necessary may be sold for payment of the debt aforesaid, with interest as aforesaid; and that your Orator may have such further or other relief as his case may require.

May it please your Honors to grant unto your Orator the writ of Subpoena against the said William W. Harrison of Talbot County commanding him to appear in this Court, at some certain day to be therein named to answer the premises, and abide by and perform such decree as may be passed therein, and as in duty bound &c.

James S. Martin
Sol^r for Comp^t

The Exhibit referred to in the foregoing Bill of Complaint, is as follows, to wit:

Queen Anne's County, to wit: Be it remembered, That on this the ninth day of June in the year of Our Lord One thousand Eight hundred and Sixty six, the following Mortgage was brought to be recorded - to wit:

2000 This Mortgage made this thirty first day of May in
the year the year Eighteen hundred and Sixty five, by me
Stamp William W. Harrison, of Talbot County and State
of Maryland of Maryland, of the one part, and James C. Emis
 and William C. Callahan of the County and State aforesaid of the other part
 witnesses: Whereas the parties last named stand jointly bound with the said
 W. W. Harrison as his securities upon a note to a certain John A Rhodes of the same County and State in the sum of Six hundred dollars
 current money payable the thirty first day of May Eighteen hundred and
 Sixty six, now to secure the parties from all loss or damage, the
 said W. W. Harrison do grant unto the said J. C. Emis and W. C.
 Callahan the several tracts of Land lying and being in Queen Anne's County
 and in the main road leading from Hillsborough to the Mills called
 John A. Discovery; Containing One hundred and Sixty seven Acres;
 also one lot of Thirty acres and one lot also of Twenty acres, Provided
 that if the said W. W. Harrison shall pay on or before the thirty first day
 of May Eighteen hundred and Sixty six to the said John A Rhodes the

sum of six hundred dollars, with the interest thereon from the thirty first day of May, Eighteen Hundred and sixty five, then this mortgage shall be void

Witness my hand and Seal this 31st day of May 1865
Jest. Sol: M. Love. William W. Harrison

State of Maryland, Talbot County, to wit:
I hereby Certify, that on this thirty first day of May in the year Eighteen hundred and sixty five, before the subscriber, a Justice of the Peace, personally appeared William W. Harrison, and acknowledged the foregoing Mortgage to be his act.

State of Maryland, Talbot County, to wit:
I hereby Certify, that on this thirty first day of May in the year Eighteen hundred and sixty five, before the subscriber a Justice of the Peace of the said State, in and for the aforesaid County, personally appeared James C. Einos and William C. Callahan the Securities named for the foregoing Mortgage and made oath in and due form of Law that the Consideration in said Mortgage is true and bona fide as therein set forth.

State of Maryland, Talbot County: Sec.
I hereby Certify, that Solomon M. Love Esq. before whom the annexed acknowledgment & Affidavit were made, and who has thereto subscribed his name, was at the time of so doing a Justice of the Peace of the State of Maryland, in and for Talbot County, duly Commissioned and sworn.
In Testimony whereof I hereto set my hand and affix the Seal of the Circuit Court for Talbot County, this 6th day of June, A.D. 1865.

State of Maryland, Queen Annes County, Sec:
I hereby Certify that the above and foregoing is truly and copied from Lib. S & D. Vol. folios 544 & 545 One of the Said Records for Queen Annes County.
In Testimony whereof: I hereto set my hand and affix the Seal of the Circuit Court for Queen Annes County, the 8th day of April Anno Domini 1870

James Masters, Clk
Ct. Ct. Queen Annes County
Whereupon Subpoena was issued for the said William W. Harrison according to the prayer of the Complainant: and on which said Subpoena was this endorsed: to wit: "So Se in officio"
And thereupon the said William W. Harrison voluntarily appears in Court here, by Alpheus A. Townsend, Esquire, his solicitor.
And on the same day and year aforesaid, the said William W. Harrison files in Court here, his answer to the said Bill of Complaint as follows to wit:

"u's"
Five cents
May 31, 1865
S. J. M.

"Seal of the Circuit Court"
"u's"
Five cents
June 6, 1865
S. J. M.

"Seal of the Circuit Court"
"S. R."
Three cents
June 1870

William C. Callahan Surviving
Obligor of W. C. Innis

In Circuit Court for
Queen Annes County
In Chancery.

vs
W. W. Harrison

The answer of W. W. Harrison to the
bill of Complaint against him filed in this cause.
This defendant, admits the matters and things charged in the bill
of Complaint to be true, and submits that a decree may be passed
as prayed.

witness

W. W. Harrison

Chas Buteman

I agree to accept this answer without oath.

James S. Martin

Sole for Complainant

Whereupon, the Court here, pass the following decree, to wit:

William C. Callahan E Circuit Court
vs E for Queen Annes County
W. W. Harrison E In Equity

This Cause standing ready for hearing and
being submitted without argument by written agreement, of the Sol-
icitors for Complainant and defendant, The proceedings were read
and considered. It is thereupon this fifth day of December
in the year Eighteen hundred and seventy, by the Circuit Court for
Queen Annes County, sitting in Equity, and by the Authority of the
same, adjudged, ordered and decreed, that unless the Defendant
shall on or before the fifth day of January next pay or bring
into this Court, to be paid to the Complainant or to John H. Rhodes
in said bill mentioned, or to the solicitor of the Complainant the
sum of Six hundred dollars, with interest thereon from the thirty first
day of May, in the year eighteen hundred and sixty five, until paid or
brought in as aforesaid, together with the Complainants Costs of this
suit, to be taxed by the Clerk of this Court, and any other Costs incurred
by the said Complainant in the premises, to be ascertained by the
Clerk of this Court, the mortgaged premises in the proceedings mentioned
or so much thereof as may be necessary for the purpose be sold.
That James S. Martin of Talbot County, be and he is hereby appointed
Trustee to make such sale, and that the Course and manner of his
proceeding shall, be as follows: He shall first file in the Clerks
Office of this Court, a bond to the State of Maryland, Executed by
himself, with a Surety or Sureties to be approved by the Clerk of this Court
in the Penalty of Two thousand dollars, Conditioned for the faithful per-
formance of the trust reposed in him by this decree, or which may be reposed
in him by any further order or decree in the premises, He shall then
proceed to make sale of the said mortgaged premises, having first given
at least three weeks previous notice inserted in some newspaper printed
at Easton Talbot County and such other notice as he may think proper
of the time, place, manner and terms of sale; which terms shall be as
follows: The purchase money to be paid one half in Cash on the day
of sale, and the balance in twelve months from the day of sale - the
Credit payment to be secured by the bond of the purchaser, with security
to be approved by the Trustee, bearing interest from the day of sale.
And the said Trustee, as soon as may be convenient after any such sale

shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof, and of the fairness of such sales annexed. And on the ratification of such sale or sales by this Court (and not before) the said Trustee, by a good and sufficient deed, to be executed and acknowledged agreeably to Law, shall convey to the purchaser or purchasers of said property and to his, her or their heirs, the property to him, her, or them sold, free, clear and discharged of all claim of the parties to this suit or cause and of any person or persons claiming by, from or under them; and the said Trustee shall bring into this Court the money arising on such sale or sales and the bonds or notes which may be taken for the same, to be disposed of under the order and direction of this Court, after deducting therefrom the Costs of this suit, and such Commission to the said Trustee as this Court may think proper to law

Frederick Stump
Jos A. Nickes

And on the day and year aforesaid, the following agreement was filed, to wit:

A. C. Callahan
vs
W. W. Harrison

In Equity

It is agreed that the above cause shall be submitted per decree in resp of Court and that a decree may be passed therein as prayed by complainants and consented to by defendant

James S. Martin
Sol. for Complainants
Alpheus A Townsend
Sol. for Defendant

And Afterwards, to wit, on the twenty third day of March in the Year Eighteen hundred and Seventy one, the said James S. Martin, the Trustee named in said decree files in Court here, the following Bond with the endorsement thereon, to wit:

Know all Men by these presents that we James S. Martin and Charles H. Gibson are held and firmly bound unto the State of Maryland in the full and just sum of five thousand dollars, to be paid to the said State of Maryland, or its certain Attorney to which payment well and truly to be made and done, we bind ourselves, our heirs, Executors and administrators jointly and severally, firmly by these presents, sealed with our seals and dated this twenty third day of March in the year Eighteen hundred and seventy one. Whereas by a decree of the Circuit Court for Queen Anne's County sitting in Equity bearing date the fifth day of December in the year Eighteen hundred and Seventy, and signed in a cause in said Court, wherein William C. Callahan is complainant and W. W. Harrison is defendant the bond Jas. S. Martin has been appointed trustee to make sale of certain Real Estate in the proceedings in said Cause mentioned,

Now the Condition of the above obligation is such, that if the above bounden James S. Martin do and shall, well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future order or decrees in the premises, then this bond shall be void, otherwise to be and remain in full force and virtue in Law

Witness our Hands and Seals

James S. Martin Seal
Charles H. Gibson Seal

Security approved and bond filed, the 23^d. day of March 1871.

James Moores, Clerk of the Circuit Court for Queen Anne's County

And on the twenty seventh day of March in the year last aforesaid the said James L. Martin, Trustee, made the following Report of Sale, to wit

William C. Callahan
as
William W. Harrison

Circuit Court for Queen Anne's County, In Equity

To the Honorable, the Judges of the Circuit Court for Queen Anne's County, in Equity.

The report of James L. Martin Trustee, appointed by the decree in this Cause, to make sale of certain mortgaged real Estate therein mentioned, shows; that after giving bond with security for the faithful discharge of his trust, as required by said decree, and giving notice of the time, place, manner and terms of sale by advertisement in the "Centreville Observer" a newspaper printed in Queen Anne's County and in the "Easton Star" a newspaper printed in Talbot County, for more than three successive weeks before the day of sale, he did pursuant to said notice attend at the Store of James H. Helt in Talbot County near said land, on Friday the twenty fourth day of March in the year eighteen hundred and seventy one at twelve o'clock, and then and there proceeded to sell said Real Estate - Your Trustee then and there offered at public sale by way of auction the said Real Estate; and sold the same to Gilghman N. Chance of Talbot County at & for the price or sum of four dollars & five cents per acre, amounting to the sum of Eight Hundred and Seventy eight dollars and eighty five cents, and the said purchaser has paid to the Trustee the sum of Four hundred and thirty nine dollars and forty two cents in cash and executed his bond with security approved by the Trustee, for the sum of four hundred and thirty nine dollars and forty three cents, bearing interest from the day of sale. - And Your Trustee has the money arising from said sale and the bond taken for the same in this Court, subject to the order and direction of this Honorable Court.

All of which is respectfully submitted.

James L. Martin, Trustee.

State of Maryland Talbot County, to wit: I hereby certify that on this 25th day of March in the year eighteen Hundred and Seventy one, before me the subscriber a Justice of the Peace of the State of Maryland, in and for the County aforesaid, personally appeared James L. Martin, Trustee above named, and made oath that the matters and things stated in the foregoing report are true, to the best of his knowledge & belief, and that the sale therein reported, was fairly made.

J. M. Stewart J.P.

State of Maryland, Talbot County, Sec: I hereby certify, that J. M. Stewart Esquire, before whom the annexed affidavit was made and who has thereto subscribed his name, was at the time of so doing a Justice of the Peace of the State of Maryland in and for Talbot County, duly Commissioned and sworn.

In Testimony whereof I hereto set my hand and affix the the seal of the Circuit Court for Talbot County this 27th day of March A.D. 1871

Sec. 6
of the
Court
vs
Rep
State
5th

James Baggy, Clerk, Circuit
Court for Galtus County.

And on the same day and year last aforesaid, the following
Order was passed, to wit:
William C. Callahan vs
William W. Harrison
In the Circuit Court for Queen
Annes County, In Equity
January Term 1871.

Ordered this 27th day of March 1871 that the
sale made and reported by James L. Martin, Trustee, to sell the real estate of
William W. Harrison in the above entitled cause, be ratified and confirmed
unless cause to the contrary be shown, on or before the eighth day of May next;
provided a copy of this order be published in some newspaper printed in Queen
Annes County, for three successive weeks on or before the first day of May next
The report states the amount of sale to be \$878.85

James Meeters, Clerk

And on the ninth day of May in the year eighteen and seventy one, the
following Certificate was filed, to wit:
I Certify that the annexed notice was published in the Centreville
Observer a newspaper printed in Queen Annes County for three succe-
ssive weeks before the first day of May 1871.
W. W. Busted

And on the same day and year last aforesaid, the following order
was passed, to wit:

In the Circuit Court for Queen Annes County, May 9, 1871
Ordered that the sale within reported be and the same is hereby
ratified and confirmed no cause to the contrary thereof having
been shown although notice appears to have been given as directed
by the conditional order of ratification heretofore made in this
Cause.

Jos M Robinson
Jos A. Nickes
Frederick Stamp

And on the third day of July in the year last aforesaid, the consent
of the said William W. Harrison that balance of funds should be audited
to William C. Callahan, was filed in the following words, to wit:

Wm C. Callahan vs
Wm W. Harrison
Circuit Court for
Queen Annes County

I William W. Harrison hereby consent that the
balance of the funds in the above cause left after paying Trustees
Commissions &c shall be audited to William C. Callahan as witness
my hand this 30th day of June 1871.

Jest. J. L. Martin

William W. Harrison

And on the same day and year last aforesaid, Madison Brown, Esquire Auditor
files in Court here, the following report and audit, to wit:

Wm C. Callahan vs
Wm W. Harrison
Circuit Court
for
Queen Annes County

To the Honorable, the Judges of the Circuit Court
for Queen Annes County.
The Report of M. Brown, Auditor to your Honors respectfully shows
that after examining the papers in the above cause, he proceeded to
state an account between the Real Estate in the proceedings mentioned

and James L. Martin Esq. Trustee for the Sale thereof. He charged the Trustee with \$878.85 the gross amount of sales and allowed the Trustee's Commissions & Costs of Probate &c. on report of sales \$60.03 and various bills for auctioneering, Costs of advertising, Cost of publishing order of ratification nisi, Complainant's & Defendant's Costs of suit and the Auditor for his fee, making the sum total of said allowances amount to \$149.83, which left a balance of proceeds of sale \$729.02 which your Auditor allotted to be paid to the Complainant by the within order of the Defendant filed in the Cause. All which is respectfully submitted to your Honors by

M. Brown. Auditor. July 3, 1871.

vs. The Real Estate of William M. Harrison in account with J. L. Martin Trustee for sale thereof

March 24 1871	To the Trustee for his Commissions	\$ 59.63
	To " " for probate & certificate to report of sale	4.00
	" N. K. Rathell Auctioneer for Bill filed	10.00
	" Thos. K. Robson for advertising Real Estate for sale	12.50
	" W. W. Trustees for " " "	7.50
	" Same for publishing order of ratification nisi	3.00
	" Complainant's Costs of suit charged to Trustee	
	by James Meeters, Clerk. for his fees	\$ 15.05
	Jas. L. Martin Solatship fee & printing Bill	20.00
	" Defendant's Costs of suit	
	viz Jas. Meeters, Clerk for his fees	\$ 2.75
	A. Townsend Solicitor	10.00
	" M. Brown, Auditor for his fee	9.00
	" Balance of proceeds of sale	729.02
		<hr/> 878.85
March 24 1871	To Mr. Callahan this Bal. by order of W. M. Harrison filed	\$ 729.02
March 21 1871	By gross proceeds of sale pr Trustee's Report	\$ 878.85
" "	By balance of proceeds of sale	729.02

M. Brown, Auditor
July 3, 1871.

And on the twenty fourth day of July in the year last aforesaid the Court here, has the following order, to wit:

M^{rs} C. Callahan vs J^{ms} M. Harrison
In the Circuit Court for Queen Anne's County
Ordered this 24th day of July 1871 by the Circuit Court for Queen Anne's County & by the Authority thereof, that the Auditor's Report in this Cause be and the same is hereby ratified & confirmed, no cause to the contrary having been shown to the contrary, and the Trustee hereby directed to pay the balance appearing due to M^{rs} C. Callahan with its due proportion of interest.

Jos. A. Nickes

David Carroll
 vs
 Robert Wright and Susan
 le Wright, his wife

It is remembered, that on the twenty first
 day of November in the Year eighteen hundred
 and seventy, the following Bond with the end-
 orsement thereon, was filed in the Office of the
 Clerk of the Circuit Court for Queen Annes
 County, as follows. To wit:

County, as follows. To wit:

Know all men by these Presents, that we,
 Charles W. Ridgely & Dr. Benjamin Rush, Ridgely, of Baltimore County
 in the State of Maryland, are held and firmly bound unto the State
 of Maryland in the full and just sum of Twenty thousand Dollars
 current money, to be paid to the said State of Maryland or to its
 certain Attorney: to which payment well & truly to be made and
 done, we bind ourselves and each of us, our and each of our heirs
 executors & administrators, jointly and severally firmly by these presents
 sealed with our seals and dated this 17th. day of November Eighteen hun-
 dred & seventy.

Whereas the said Charles W. Ridgely in virtue of a certain Deed of
 Mortgage bearing on the 8th. day of June in the year eighteen hundred
 and sixty three & recorded among the Land Records of of Queen
 Annes County in Liber MB No. 2 folios 350 & 351 from Robert Wright &
 Susan le Wright, his wife, to David Carroll, and of the power and
 authority therein conferred upon him by name, is about to sell at
 public Auction the property in said Mortgage mentioned.

Now the condition of the above written Obligation is such that if the above
 bounden Charles W. Ridgely do and shall abide by and fulfill any
 order or Decree which shall be made by any Court of Equity in relation
 to the sale of said Mortgaged property or the proceeds thereof then
 the above obligation to be void, otherwise to be and remain in full
 force and virtue in law

signed sealed & delivered
 in the presence of
 C. W. Ridgely - by C. W. Ridgely
 & Dr. Benjamin R. Ridgely in
 the presence of C. W. Ridgely

Char W. Ridgely Seal
 B. Rush Ridgely Seal

the 21st. day of November 1870.

Security approved and bond filed

James Meeters, Clerk, Circuit
 Court for Queen Annes County.

The Deed of Mortgage referred to in the foregoing bond is as follows
 to wit:

This Mortgage, made this eighth day of June in the year one thou-
 sand eight hundred and sixty three by Robert Wright, M.D. and Susan
 le Wright his wife of Queen Annes County, in the State of Maryland
 of the first part, and David Carroll of Baltimore County, in said
 State of the second part.

Whereas, the said Robert Wright stands justly indebted unto the said
 David Carroll in the full sum of Five thousand Dollars for which he
 hath drawn and passed to the said Carroll, his promissory note bearing
 date on the fourth inst. and payable in five years, and for the accruing
 interest he has drawn and delivered ten other promissory notes of
 like date and payable the first at six months and the last at sixty
 and the others in the interim successively every six months, all the

said notes payable at the Mechanics Bank in Baltimore; And whereas it was a condition precedent to the granting of said loan that the repayment thereof, with interest and taxes thereon, should be more effectually secured by a mortgage of the herein described lands. Wherefore these presents are made: each of the interest notes mentioned above is for one hundred and fifty dollars:-

Now this Mortgage witnesseth, that in consideration of the premises, and of the sum of One dollar, the said Robert Wright and Susan S. Wright his wife have granted, and do grant unto the said David Carroll his heirs and assigns in fee simple: All that tract of Land lying in Queen Annes County aforesaid, and in the vicinity of Queenstown: called "Clover Patch" which is described as follows, viz: Beginning for the same at an old white Oak Stump in the woods and running thence the following Courses, viz: ¹North thirty seven degrees West, thirty perches; ²North thirty degrees East, twenty seven perches; ³South seventy five degrees East, Eighty seven perches to Carpenter's Square; ⁴North forty five degrees East, One hundred and thirty nine perches to Mrs Richmond's Land; ⁵North forty five degrees West forty five perches to a stone in the branch; ⁶North forty degrees East, twelve perches; ⁷North, forty five degrees West, Sixty perches; ⁸South, forty five degrees West, One hundred and Sixty perches to a Stone on a hill side; ⁹North forty five degrees West, two hundred and thirty five perches to the corner of B. Elghman's fence; ¹⁰South forty five degrees West, One hundred and Sixty three and a half perches to Doctor E. Harris' Land; ¹¹South forty five degrees East, three hundred and thirty perches; ¹²North twenty eight degrees East, ninety five perches, and thence by a straight line to the place of beginning; Containing four hundred and twenty four acres of land more or less, Being the same Land bought by the said Robert Wright at Sheriff's Sale on the 7th May 1827, under and Execution issued out of Queen Annes County Court, at the suit of William Barrell, against Francis Turner, and particularly described by metes & bounds in the Special Return made by Thomas Roberts, Sheriff, recorded in Liber D M no. 3 Judicial Record, pages 217 & 218 of Queen Annes County: Together with the buildings and improvements thereupon; and the rights, ways, waters, privileges, appurtenances and advantages, thereto belonging, or in anywise appertaining - Provided, that if the said Robert Wright, his heirs, executors, administrators or assigns, shall pay the several sums of money in the said eleven promissory notes mentioned, and each and every of them, at the maturity and agreeably to the tenor of the said notes, and shall perform all the covenants herein on his or their part to be performed, then this mortgage shall be void - And it is agreed, that, until default be made in the premises, the said Robert Wright shall possess the aforesaid property upon paying, in the meantime, all taxes on said mortgaged property, and on the mortgage debt and interest hereby intended to be secured; which taxes the said Robert Wright for himself, his heirs, executors, administrators and assigns doth hereby covenant to pay when legally demandable -

But in case of any default being made in payment of the principal debt aforesaid, or of any part or instalment of the interest thereon, at the particular time appointed for the payment thereof, or in any condition of this mortgage, then these presents are hereby declared to be made in trust, and Charles H. Lidgeby, of the City of Baltimore, or the said David Carroll his heirs, executors, administrators and assigns are severally authorized and empowered, to sell, pursuant to article 64

generally of the public General Laws of the State of Maryland, all the property hereby mortgaged, or so much thereof as may be necessary; and to grant and convey the same to the purchaser or purchasers thereof, or to his, her or their heirs or assigns; which shall be made in the following manner; by giving at least twenty days notice of the time, place, manner and terms of sale, in some newspaper published in Queen Annes County Aforesaid if any at the time, and if not, in some adjoining County or Counties; and the proceeds arising from such sale, to apply; first to the payment of all expenses incident to such sale; including a reasonable Commission to the Trustee or Agent for his services, and the taxes payable in the premises; secondly, to the Payment of all money owing hereunder, whether the same shall have then matured or not; and, as to the balance, to pay it over to the said Robert Wright his heirs or assigns.

And the said Robert Wright for himself, his Executors, administrators and Assigns, doth further Covenant to insure, and, pending the existence of this Mortgage, to keep insured the improvements on the hereby mortgaged land, to amount of at least one thousand Dollars, and to cause the Policy to be effected thereon to be so framed or indorsed, as in case of fire, to insure to the benefit of the said Carroll, his heirs or assigns to the extent of his or their Lien or Claims hereunder.

Best pointed words Witness their hands and seals

being first erased on this page

and 10 written words on the 2 page

and shows distinct interlineation made

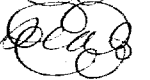
on this page before execution

Mo H Rowleson



Robert Wright

Susan C Wright



State of Maryland Queen Annes County, to wit;

Shereby Certify - That on this eighth day of June in the year one thousand eight hundred and sixtythree, before the Subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Annes County Aforesaid personally appeared Dr. Robert Wright and Susan C Wright his wife and each acknowledged the foregoing Mortgage to be their respective act; and now, at the same time, before me, personally appeared also, Nealman J. Gibson, the agent of David Carroll, the within named Mortgagee and made oath in due form of law, that the consideration set forth in the foregoing Mortgage is true and bona fide, as therein set forth; and at the same time the said Nealman J. Gibson did also make oath in manner aforesaid, before me, that he is the Agent of the said Mortgagee David Carroll.

Acknowledge and Sworn before,

Mo H Rowleson

On the back of the aforesaid Deed of Mortgage, was thus indorsed, to wit: - Received the 15th day of June 1813, and recorded in Liber "MB" no. 2 folios 350 & 351 One of the said Record Books for Queen Annes County.

Per:

James Weesters, Clerk

And on the fourteenth day of December in the year Eighteen hundred the following note was filed, to wit:

\$5000. Queen Annes June 4th 1813

Five years after date, I promise to pay to the order of David Carroll Five thousand dollars in at the Mechanics Bank in Baltimore. Value received

No 11 due June 4th 1818

Robert Wright.

And on the seventeenth day of December in the year last aforesaid the following Report of Sale, was filed, to wit:

In the Matter of the Mortgage
from Dr. Robert Knight & Susan C
his wife, to David Carroll

In the Circuit Court
for Queen Anne's County
In Equity.

To the Honorable, the Judges of the
Circuit Court for Queen Anne's County:

The Report of Charles H. Ridgely of Baltimore County, the person named in the above mentioned Mortgage to make sale of the property in said Mortgage described — which bears date of the 8th June 1863 & was duly recorded among the Land Records of Queen Anne's County in Liber MB No 2 folios 350 & 351 — respectfully sheweth, that after default had been made in the payment of the principal of the Mortgage debt of five thousand Dollars at the maturity of the promissory note therefor, dated of 4th June 1863 & payable at 5 years thereafter, as mentioned in said Mortgage, and filed in this Court therewith, which default has ever since continued, and doth still continue to be made; and also in the payment of the interest thereon; and after having first given Bond with security for the faithful discharge of his trust, as was required by Law, which was duly approved by the Clerk of this Court; and after giving more than twenty days notice of the time, place, manner and terms of sale by advertisement inserted once a week for four successive weeks last preceding the day of sale in the Centreville Observer Weekly newspaper printed in said County, & also by hand bills set up in the public places of said County & also extensively circulated; pursuant to such notice & to the provisions of Article 64 of the Code of Public General Laws, and in execution of the power and authority in said Mortgage conferred upon him, he, the said Charles H. Ridgely, attended in front of the Court House in Centreville, on Tuesday the thirteenth day of December instant, between the hours of 2 & 5 O'Clock P.M., & offered at public sale to the highest bidder the real Estate & property in said Mortgage mentioned and described & then and there sold the said real estate and property unto William McKenney Esq; of said County at & for the sum of twenty seven dollars per acre, the land containing about four hundred & twenty five acres, one road & twenty one square perches, more or less & the purchase money amounting to eleven thousand, four hundred & eighty seven dollars & twenty nine cents; he being at that price the highest bidder for the premises,

Terms of Sale advertised, One third of the purchase money in Cash on the day of sale; the residue in equal instalments in six, twelve & eighteen months thereafter; the Credit payments to bear interest from the day of sale & to be secured by the purchaser's Bond, with security satisfactory to the undersigned, But at the time, & before the making of the sale, it was announced by the Trustee, that the purchaser might, if more convenient to him, pay one thousand Dollars on the day of sale and the residue of the Cash third of the purchase money with interest, at 90 days on on giving his promissory note therefor, payable at one of the Banks in Baltimore and endorsed to the Trustee's satisfaction:

And the undersigned further reports that the Mortgaged Property could not in his Opinion, conveniently or safely have been sold in parcels or divided, without detriment to the parties interested in the same And also that there is now in arrear & owing on said Mortgage the principal debt or sum of Five thousand Dollars with the legal interest thereon from the seventh day of December, Eighteen hundred & Sixty eight amounting on the day of Sale in all to five thousand, six hundred, & five Dollars besides the costs of the proceeding. And he returns herewith a copy of the advertisement of sale as part of this Report. All which is respectfully submitted.

Baltimore, December 16th. 1870

Chas. N. Ridgely, Trustee

Public Sale of a Valuable Farm in Queen Anne's County

By virtue of Express Authority conferred on him by name, in a Mortgage from Dr. Robert Wright and wife to David Carroll, dated the 8th day of June, 1863, and duly recorded among the Land Records of Queen Anne's County, in Liber P.M.B. no. 2 Folios 350 and 351, the undersigned will sell at Public Auction, to the highest bidder, in front of the Court House, in the town of Centreville, in said County, on Tuesday, the 13th day of Dec., 1870, between 2 and 5 O'Clock P.M. all and singular the valuable Real Estate and Farm of the said Dr. Robert Wright, situate and lying near Queenstown, in said County called "Clover Hill" adjoining the lands of the Misses Harris and J. W. Hopper, Wm. N. Price; R. Carter; J. Remory; M. George and Wm. F. Parrott Esquires fully described in the said Mortgage by metes and bounds, and containing 424 acres of Land more or less as the Case may be, the quantity probably reaches about 460 acres, it is thought. The farm lies on the new road from Centreville to Mye Neck, and is distant about 5 miles from Centreville, 4 miles from Queenstown, and three miles from Mye Mills and is convenient to Churches, Stores, Mills, Shops &c. The Soil is of excellent quality, suitable for fruit and Grain of all kinds, fertile by nature and improved by the use of Lime fertilizers, Clover, &c. Excepting 50 acres in Wood and Timber, the Land is arable and under good fencing. — Improvements. A frame dwelling in good repair, having 9 Rooms, Kitchen and Loft, meat House, Dairy, Large Barn with Stables and Sheds attached, Carriage house with Sheds attached and Corn house; A fine stream of Water passes through the farm, and there is a pump and Spring of good water on it — Persons desiring to purchase are requested to examine the property.

Terms of sale —: One third in Cash on the day of Sale; the residue in equal instalments, in six, twelve and eighteen months; the Credit payments to bear interest from the day of Sale, and to be secured by the purchaser's Bonds, with security to be approved by the undersigned. — Possession delivered on the ratification of the Sale. — Any further information can be obtained on Application, to H. J. Gibson Esq. Centreville, or the undersigned, at his Office, No. 34 St. Paul St; Baltimore City

Chas. N. Ridgely, Trustee,

J. J. Blake Auct.

Nov 22, 1870

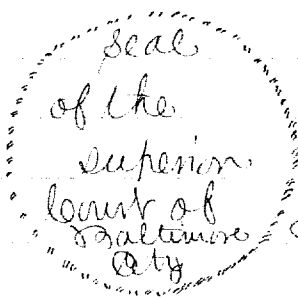
State of Maryland, City of Baltimore, to wit:

On this sixteenth day of December, Eighteen hundred and seventy, before the subscriber, a Justice of the Peace of said State, in and for said City, personally appeared Charles N. Ridgely

made oath on the Holy Evangelis of Almighty God that the matters
things set forth in the foregoing Report are true as stated & that the
Sale therein reported was fairly and bona fide made as stated, to the per-
son and at the price named, he being then and there the highest bidder
for the property.

Geo: McCaffray. J.P.

State of Maryland, Baltimore City, Set;
I hereby Certify that Geo: McCaffray Esquire, before whom the ann-
exed affidavit was made, who has thereto subscribed his name, was
at the time of so doing, a Justice of the Peace of the State of Maryl-
and and for the City of Baltimore, duly commissioned and sworn



50c
Rev
Stamp

In Testimony Whereof I hereto set my hand
and the Seal of the Superior Court of Baltimore
Affix, this 16th. day of Decr. A.D. 1870
Geo Robinson, Clerk of the Superior Court of
Baltimore City.

And on the same day and year last aforesaid, the following Order
was passed, to wit:

David Carroll
vs
Robert Wright wife

In the Circuit Court
for Queen Annes County
In Equity

Ordered this 17th. day of December 1870.

that the sale of the Real Estate of Robert Wright in this cause
made and reported by Charles W. Ridgely, Attorney for the Mortgagee,
be ratified and confirmed, unless Cause to the contrary thereof be
shown, on or before the fourth Monday of January next: provided a
copy of this order be published in some newspaper printed at Cen-
treville, once in each of three successive weeks before the twentieth day
of January next.

The Report states the amount of Sale to be \$11487.29

James Heaters, Clerk

And on the fourth day of February in the year eighteen hundred and
seventy one the following Certificate was filed, to wit:

I hereby Certify that the annexed notice was published in the
Centreville Observer, a newspaper, published at Centreville, once
in each of three successive weeks before the twentieth day of
January, 1871.

W. W. Bristeed

And on the sixth day of February in the year last aforesaid, the
following Order was filed, to wit:

David Carroll
vs
Robert Wright wife

In the Circuit Court
for Queen Annes County
In Equity

Ordered this 4th. day of February 1871. that

the sale of the Real Estate of Robert Wright, in this Cause made and
reported by Charles W. Ridgely the person named in the Mortgage, pro-
m Robert Wright wife to make sale of the property: be and the same
is hereby ratified and confirmed, no Cause to the contrary thereof having
been shown, although notice appears to have been given as directed
by the within Order - The said Charles W. Ridgely is allowed the usu-
all Costs and Commissions

Do: A. Wickes

And on the twentieth day of February in the year last aforesaid, Madison-Brown, Esquire, Auditor, files in Court here, the following report and Audit to wit:

David Carroll, Mortgagee }
 as }
 Robert Wright wife Mortgagees }
 To the Honorable the Judges of the Circuit Court for Queen Anne's County

The Auditor, respectfully states to your Honors that at the request of Chas. N. Ridgely, Esquire, Attorney for David Carroll the Mortgagee in the above Case he has stated an account between the mortgagee & real Estate and the mortgagee as follows: He has charged the mortgagee with the gross amount of Sales \$11487.29 made on the 13th day of December 1870. It appears by the Account of Sales & given Credit for the usual Commissions in such cases and the Cost of surveying, advertising, auctioneering & the Clerk's Bill of Costs, for which the vouchers had been filed. He also allowed as a credit to said Sales tax Bills of Thomas A. Embert, Collector of State & County taxes for the 5th Election District of Queen Anne's County for the years 1868 & 1869 with interest thereon from the first day of January 1869 & 1870 respectively to the day of sale and also the tax bill of Lewis Hergemather Collector as aforesaid for the year 1870 without interest and to the Auditor \$9.00 for his fee. — He next allowed to the mortgagee, the whole principal of the Mortgage debt \$5000.00 and interest thereon from the 7th day of December 1868 that being the mortgagee's claim, as set forth in the report of sale, deducting these various credits from the total amount of sale, there remains a surplus of \$4836.24 to be disposed of under the direction of the Court, all which is respectfully submitted by

M. Brown, Auditor, February 20, 1871—

Ar The Mortgagee's Real Estate of Robert Wright wife in account with David Carroll Mortgagee

December 13.	To Chas N Ridgely Trustee for his Commissions	\$	504.49
	On \$11487.29 the gross amount of sales	\$	16.00
	To Jas W Thompson for surveying & plotting Real Estate	\$	4.00
	To Geo B Brown for Cash paid Chain Carriers	\$	25.13
	To W. W. Busted for advertising Real Estate for sale	\$	3.50
	To " " for advertising order nisi of ratification of sale	\$	23.45
	To James Woeters, Clerk, for his Costs	\$	10.00
	To Trustee for Cash paid J F Blake Auctioneer	\$	
	To Thomas A Embert, Tax Collector for 5th District	\$	
	for taxes for 1868 due Jan 1, 1869 = & interest.	\$	144.59
	from 1 January 1869 to 13 December 1870	\$	16.94
	To same for taxes for 1869 due Jan 1, 1870	\$	138.75
	& Int from Jan 1, 1870 to 13 December 1870	\$	7.93
	To Lewis Hergemather, Tax Collector for 5th District for taxes due January 1, 1871	\$	142.77
	To David Carroll Mortgagee for principal of his Mortgage debt	\$	5000.00
	To Int on same from 7 Dec 68 to 13 December 1870	\$	605.00
	To M Brown, Auditor for his fee	\$	9.00
	To Balance of purchase money	\$	4836.24
		\$	11487.29

1870
December 13th By Gross proceeds of Sales of Real Estate ^{6.} \$11487. 29

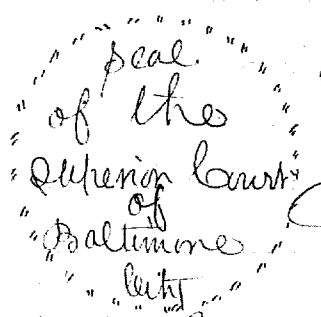
By Balance of purchase money \$4831. 24
M. Bromley, Auditor
February 20th, 1871.

And on the twenty fourth day of March in the year last aforesaid, the following Affidavit was filed, to wit:

State of Maryland, Baltimore City to wit
I hereby certify that on this 22nd day of March 1871 before the subscriber a Justice of the Peace of the State of Maryland in and for Baltimore City personally appeared Dr. Robert Wright late of Queen Anne's County of Maryland, but now of Baltimore City & made oath on the Holy Evangelical of Almighty God that on the 13th day December 1870, the day of the fall of his farm called "Clover patch", he was in the 73rd year of his age and was in good health at the time, and at the same time personally appeared before me Susan C. Wright wife of Dr. Robert Wright & made oath on the Holy Evangelical that on the said 13th day of December 1870 she was 49 years & 5 months of age and in good health & of sound constitution.

Sworn before
State of Maryland, Baltimore City, &c.
M. A. Disney J.P.

I hereby certify that M. A. Disney Esquire before whom the annexed Affidavit was made, who has thereto subscribed his name, was at the time of so doing, a Justice of the Peace of the State of Maryland in and for the City of Baltimore, duly commissioned and sworn -



503
Superior Court
Baltimore

In Testimony whereof I hereto set my hand and affix the seal of the Superior Court of Baltimore City, this 22nd day of March A. D. 1871.

Geo. Robinson, Clerk of the Superior Court of Baltimore City

And on the fifteenth day of April in the year last aforesaid, the following petition and order of Court thereon was filed as follows, to wit:

To the Honorable Judges of the Circuit Court for Queen Anne's County -
The petition of Charles W. Ridgely, to your Honors respectfully shows that in the case of the Sale of the Real Estate of Robert Wright by your petitioner as attorney for David Carroll there will be a large balance after payment of D. Carroll's mortgage debt that said mortgage debt was the first lien and that Susan C. Wright wife of Robert Wright united with her husband in said mortgage; said Susan C. Wright claims to be entitled to a portion of said balance for her Contingent dower right in said Real Estate and that there are judgment and other Creditors to a large amount who are also entitled to be paid if the balance of purchase money should be sufficient - Your Petitioner therefore prays your Honors to pass an order directing your Petitioner to give such notice as your Honors may deem proper to the Creditors of Robert Wright and all persons having claims against the proceeds of sales of his Real Estate to file their claims with the vouchers thereof with the Clerk of the Circuit Court for Queen Anne's County on or before

a day to be named in said order, and as in duty bound &c.
 J.B. Brown, Salt fare Petitioner
 Ordered this 5th day of April 1871 on the Petition of Chas. W. Ridgely that he give notice to the Creditors of Robert Wright & all persons having Claims against the proceeds of Sales of his Real Estate to file their Claims with the vouchers thereof with the Clerk of the Circuit Court for Queen Annes County on or before the 20th day of June next, by causing a Copy of this order to be inserted in some newspaper printed in Queen Annes County once a week for three successive weeks before the twentieth day of May next.

Frederick Stamp
 And on the tenth day of May in the year last aforesaid, the Court here pass an order ratifying the Auditor's Report heretofore filed in the following words, to wit:

Ordered this 10th day of May 1871, that the within report of the Auditor, be ratified and confirmed, no Cause to the Contrary thereof having been shown, and the Trustee is directed to apply the proceed thereof accordingly.

Jno: M. Robinson
 Frederick Stamp
 Jos. A. Wickes

And on the seventeenth day of July in the year last aforesaid the following certificate was filed:

I hereby Certify that the appended notice was published in the Centreville Observer, a newspaper printed in Queen Annes County once a week for three successive

the appended notice referred to above is recorded on folio 369 having omitted here

W. W. Busted

And on the day and in the year last aforesaid, Madison Brown Esquire, Auditor, files in Court here, a Statement of Claims and a Second Report and Audit, as follows to wit:

David Carroll, Mortgagee
 R. Wright & wife, Mortgagors
 Circuit Court
 for
 Queen Annes County

The following is a Statement of Claims filed in the above case

No 1.	Rich. Earle vs R. Wright - judgt in Civ. l. 2. A. Co. dated 24 Oct. 1869 for Principal	1350.00	
	Int from 24 Oct. 70 to 13 Dec. 70 = $\frac{m}{1-19} =$	11.03	
	Costs of suit	2.60	\$1363.63
No 2.	B. M. Rhodes & Co - judgt. in same in same Court dated 1 Nov 1869 for Principal	388.81	
	Int from Nov 1. 1869 to 13 Dec. 70 = \$26.11 & Costs \$7.65	33.76	422.57
No 3.	Geo. N. Taylor vs R. Wright vs J. B. Mitchell in same Court dated 22 Nov. 69 for Principal	2186.34	
	Int from 22 Nov. 1869 to 13 Dec. 70 \$138.13 & Costs &c. \$8.50 =	147.33	\$2333.67
No 4.	McKinney & Co vs J. M. Starper judgt. Same Court dated 24 July 1870 for Principal	300.11	
	Int from 24 July 70 to 13 Dec. 70 \$15.95 & Costs &c. \$7.30 =	23.25	\$323.36
No 5.	Cafe Hay & Co. Judgt. dated 2 May 1870 for Cost		8.90
No 6.	Embert & Clements use of Tibben & Trudeman agents for J. S. Skinner dated 7 Nov. 70 for Principal	297.65	
	Int from 7 Nov 70 to 13 Dec. 70 = \$1.78 & Costs \$7.80 =	9.58	\$307.23

No 7	Martha Blunt Judgt. in same Court dated 14 Nov. 1870 for Principals	427.45	
	Int from 14 Nov. 70 to 13 Dec. 70 \$2.12 & \$7.15 Costs	9.27	436.72
No 8.	Geo: W. Taylor Judgt in same Court dated 17 Nov. 1870 for Principal	81.22	
	Int from 17 Nov. 70 to 13 Dec. 70 \$0.38 & \$7.15 Costs	7.53	88.75

M. Brown, Auditor
July 17, 1871

David Carroll, Mortgagee
vs
Robert Wright & wife mortgagors
Circuit Court for Queen Anne's County
To the Honorable the Judges of the Circuit Court for Queen Anne's County

This second Report of M. Brown Auditor to your Honors respectfully shows that he has stated the within account between the Mortgagee David Carroll and the Real Estate sold, in which he has charged the Mortgagee with \$4836.24 the bal. appearing on the first account & given credit by an error of \$2.00 for over estimate of the sales of the Real Estate in Report of Sales less 14 cents the commissions allowed on said \$2.00, also by N. W. Busted's bill for notice to Creditors, Clerks fee and the Auditors fee - This left a bal. of \$4817.88 out of which Susan C. Wright, wife of Robert Wright is entitled to Contingent right of Dower - To this sum your Auditor added \$450.98 the aggregate of the sums paid for taxes as per 1st Report of Auditor making together \$5268.86 as the true sum on which the Contingent Dower should be estimated, said taxes having accrued since the date of the Mortgage to David Carroll - As the age of Mrs Susan C. Wright is 49 1/2 years about 1/2 that of her husband between 72 & 73 years & both in good health of course her expectation of life greatly exceeded his - Your Auditor allowed 7 1/2 years as the probable duration of the husbands life & took the 1/8 of \$5268.86 as the Dower right of Mrs S. C. Wright if she had then been a widow - This produced the sum of \$658.61 and he ascertained what sum at 6 per cent interest for 7 1/2 years would amount to \$658.61 & found it to be \$454.21 which he allotted to Mrs S. C. Wright for her Contingent Dower - This left \$4363.67 to be applied to debts subsequent to the date of the mortgage according to the priority of liens - This sum paid in full a judgment in favor of Richard T. Carle, a judgment of B. M. Rhodes & Co and a judgment in favor of George W. Taylor and \$243.50 in part of a judgment of McKenney & Co. use of J. M. Harper or a fraction over 75 percent, leaving the other claims wholly unpaid. All which is respectfully submitted to your Honors by

M. Brown, Auditor. July 17 - 1871

Due the Mortgaged Real Estate of Dr. Robert Wright & wife in account with David Carroll Mortgagee

1870 Dec 13	To	Trustee for Error in Over Calculating amt of sales \$2.00 less 14 cts Comm.	1.86
	To	N. W. Busted for publishing notice to Creditors to file their Claims	3.00
	To	James Masters, Clerk additional fees	14.50
	To	M. Brown, Auditor for his fee	9.00
	To	Bal. subject to Contingent Right of Dower of Mrs Susan C. Wright	4817.88
			<hr/>
			4836.24
1870 Dec 13	To	Mrs Susan C. Wright wife of Robt Wright for her Contingent Dower \$454.21	454.21

By Bal. applicable to Claims of creditors		\$ 1363.67
		<u>\$4817.88</u>
1870		
Dec 13.	Claim No 1 Richard J Carle in full	\$1363.63
"	" No 2 B M Rhodes & Co " "	422.57
"	" No 3 Geo. W Taylor " "	2333.67
"	" No 4 McKenney & Co use M Harper total \$323.36 - Dividends	213.80
		<u>\$4363.67</u>

1870		
Dec 13-	By Bal. of Sales as per former Report of Auditor	\$11836.24
" "	By Bal. subject to Mrs Susan L Wright's Contingent Dever	<u>\$4817.88</u>
" "	By Bal applicable to creditors	4363.67

M Brown Auditor
July 17, 1871

And on the twenty fourth day of July in the year last aforesaid, the Court here pass the following order, to wit:

David Carroll, Mortgagor } In the Circuit Court
 vs } for
 Robert Wright wife, Mortgagees } Queen Anne's County

Ordered this 24th day of July 1871 by the Circuit Court for Queen Anne's County & by the Authority thereof, that the within Report of the Auditor in this Cause be and the same is hereby ratified and confirmed no Cause having been shown to the contrary and Ordered further that the Mortgagor or his Attorney pay to the several parties the sum respectively Audited, to them with their due proportions of interest, that has been or shall be received -

Jos. A. Wickes

And on the fifteenth day of December in the year last aforesaid, the following petition and Order of Court thereon, was filed, to wit:

David Carroll } Circuit Court for
 vs } Queen Anne's County
 Robert Wright } In Equity
 To the Honorable Judges of the Circuit Court for Queen Anne's County.

The Petition of William E Temple, late Sheriff of Queen Anne's County, to your Honors respectfully sets forth that the Auditor in allowing Claim No. 3 described in Audit No 2 filed in this Cause and Statement of Claims, omitted to make allowance to your Petitioner of the fees to which he was entitled by virtue of Executions and levies on Real and personal property of the Defendant Robert Wright which Real Estate has been reported sold in this Cause and the proceeds of which have been distributed in said Audit, that said fees amount to the sum of \$73.54 in the first named case and \$16.20 in the last named case, the aggregate of which is the sum of \$89.74 Your petitioner prays your Honors to pass an order allowing same and directing the Trustees to pay same out of interest received or to be received by him on the sales of said Real Estate - And as in duty bound, Your Petitioner will ever pray &c.

M & J B Brown
Solicitors for Petitioner

Ordered on this 13th day of December 1871 by the Circuit Court for Queen Anne's County in Equity and by the Authority thereof that the Claim

of the Petitioner for \$89.74 be and the same is hereby allowed, being fees due him as late Sheriff by virtue of two Executions in his hands and the Trustee is directed to pay same out of interest on the proceeds of the sales of Real Estate reported in the Cause received by him, or as the same may hereafter be received by him.

Do^s A. Wickes

Ordered, this 5th day of April 1871 on the petition of Chas. W. Ridgely that he give notice to the Creditors of Robert Wright and all persons having Claims against the proceeds of sales of his Real Estate, to file their Claims with the vouchers thereof with the Clerk of the Circuit Court for Queen Anne's County, on or before the 20th day of June next, by causing a copy of this order to be inserted in some newspaper printed in Queen Anne's County, once a week for three successive weeks before the twentieth day of May next.

Frederick Stump

True Copy.

Test: James Meeters, Clerk

John Goldsborough and
Mary Goldsborough, his wife
vs
Solomon Truitt and
Susan E. Truitt, his wife

Be it remembered, that on the twenty seventh day of January in the year Eighteen and seventy, John Goldsborough and Mary E. Goldsborough, his wife, by Madison Brown and John B. Brown Esquires, their solicitors, filed in the Circuit Court

for Queen Anne's County, sitting as a Court of Equity, their Bill of Complaint, against the said Solomon Truitt and Susan E. Truitt his wife, in the following words, to wit:

To the Honorable the Judges of the Circuit Court for Queen Anne's County,

The Bill of Complaint of John Goldsborough and Mary Goldsborough his wife of Queen Anne's County to your Honors humbly shows, that on the first day of September 1868, your Oratrix with the consent & concurrence of her said husband, sold to Susan E. Truitt wife of Solomon Truitt of said County her house & lot situate in Centerville in said County, situate on the East side of Front Street, Opposite the lot of land on which stands the Methodist Protestant Church adjoining the lot of Mrs Mary Arlett on the north, the lands of Am McHenry on the East and a lot belonging to your Oratrix on the South, the width of said lot both front and rear by a line drawn Southwardly from the lot of Mrs Mary Arlett being thirty three feet, at & for the sum of Seven hundred dollars payable one third in Cash and the residue in three equal instalments with interest from the day of sale, of twelve, eighteen & twenty four months from said time, the deferred payments to be secured by the Bond of the purchaser with satisfactory security. That in compliance with the terms of sale & payment of purchase money your Orator was willing and ready to unite with his said wife in conveying said house & lot to said purchaser. Your Orator & Oratrix both admit that the said Susan E. Truitt did pay in Cash as of the day of sale aforesaid the sum of Two hundred and thirty three Dollars and thirty three Cents, the sum being one third of the whole purchase money but they charge that the said Susan E. Truitt has failed to tender to your Oratrix her Bond with security for the Credit payments or to pay any more on account

of said purchase altho: often requested so to do, but that the residue of the purchase money to wit the sum of Four hundred & Sixty six dollars and Sixty seven Cents with interest thereon from the first day of September 1848 remains wholly unpaid. Your Orator & Oratrix further aver that in Compliance with the terms of sale on their part they delivered possession of said house and lot to the said Susan E. Pruitt on the first day of January Eighteen hundred and Sixty nine, who with her husband the said Solomon Pruitt has continued to occupy the same ever since. Your Orator & Oratrix charge that they are entitled to the aid of this Court in enforcing the lien of your Oratrix for the unpaid purchase money & interest thereon as aforesaid by a sale of said house & lot and as your Orator was to have united with your Oratrix in the conveyance thereof to said Susan E. Pruitt in case she had complied with the terms of sale so your Orator also hereby consents that the Decree for sale if passed shall also bar any right or claim he may have or be supposed to have in the property in the proceedings mentioned.

To the end therefore that the said Solomon Pruitt & Susan E. Pruitt, his wife may answer the premises and that a Decree may be passed for the sale of the house & lot before mentioned for the payment to your Oratrix of the unpaid purchase money & interest thereon as aforesaid, and that your Orator & Oratrix may have such other and further relief as their case may require. May it please your Honors to grant unto your Orator & Oratrix the writ of Subpoena against the said Solomon Pruitt and Susan E. Pruitt of Queen Annes County commanding them to appear in this Court at some certain day to be named therein to answer the premises & abide by & perform such Decree as may be passed therein, and as in duty bound &c.

M & J B. Brown, Sole for Compts.

And on the same day and year aforesaid the following Statement and Power of Attorney was filed, to wit:

Mrs Susan E. Pruitt		
1848	To Mrs Mary E. Goldsborough	Dr
Sept 1-	Do Price of House & lot in Centreville	\$700.00
1848 Sept 1.	6% By Cash as of this date	233.33
		<hr/>
		\$ 466.67

To Interest from 1 Sept. 1848 till paid
 In the Case of the purchase of the House and Lot in the town of Centreville of Mrs Mary E. Goldsborough. This is to authorize and empower you to appear for us at the January Term 1850 of said Circuit Court for Queen Annes County in Equity to a Bill to be filed against us by the said Mary E. Goldsborough for the enforcement of the Vendors lien on said House and Lot and confess a Decree for us and in our name in pursuance of the prayer of said Bill of Complaint this power having been given to obtain additional time to meet the payments on said Real Estate and in consequence of forbearance to proceed at this November Term 1849 of said Court

To Thomas D. Keating Esqr
 Attorney at law, Centreville, Md.
 Susan E. Pruitt
 Solomon Pruitt
 And thereupon the said Solomon Pruitt and Susan E. Pruitt, his wife by Thomas D. Keating their Solicitor voluntarily come into

Court here and file their answers to the said Bill of Complaint in the words following, to wit:
To the Honorable, the Judges of the Circuit Court for Queen Annes County.

The joint & several answer of Solomon Trutt & Susan E. Trutt his wife to the Bill of Complaint of John Goldborough & Mary E. Goldborough his wife in this Court Exhibited for answer says that they admit the several matters & things stated in said Bill to be true and particularly of the amount & nonpayment of the balance of purchase money & interest thereon and are willing to consent & do hereby consent to a Decree for the sale of said house & lot in said Bill mentioned for the payment thereof.

Wm. Keating, Solicitor for defendant.

And on the twenty eighth day of January in the year aforesaid, the Court here pass the following Decree, to wit:

John Goldborough & Mary E. Goldborough, his wife
vs
Solomon Trutt & Susan E. Trutt his wife.

Circuit Court
for
Queen Annes County
January Term 1870

This Cause standing ready for hearing & being submitted without argument, the proceedings were read and considered and the Defendants having by their answer admitted the allegations of the Bill and consented to the passing of a Decree - It is thereupon this 28th day of January Eighteen hundred and seventy by the Circuit Court for Queen Annes County and by the Authority thereof, adjudged ordered and decreed that unless the Defendant Susan E. Trutt or some person for her shall on or before the first Monday in May next pay or bring into this Court to be paid to the Complainants Mary E. Goldborough the sum of Four hundred & sixty six dollars and sixty seven cents with interest thereon from the first day of September eighteen hundred and sixty eight until paid or brought in as aforesaid together with Complainant's costs of this suit to be taxed by the Clerk of this Court, the Real Estate in the proceedings mentioned be sold - that John B. Brown of Queen Annes County be and he is hereby appointed Trustee to make said sale and that the Cause and manner of his proceeding shall be as follows: - He shall first file with the Clerk of this Court a Bond to the State of Maryland Executed by himself with a Surety or Sureties to be approved according to Law in the penalty of One thousand dollars. Conditioned for the faithful performance of the trust reposed in him by this Decree or which may be reposed in him by any further order or decree in the premises. He shall then proceed to make sale of the Real Estate in the proceedings mentioned having given at least three weeks previous notice inserted in some newspaper printed in Queen Annes County and such other notices as he may think proper of the time, place, manner and terms of sale, which terms shall be Cash on the day of sale. - And as soon as convenient after such sale the Trustee shall Report to this Court a full and particular account thereof with an affidavit of the truth thereof and of the fairness of such sale Annexed. And on the ratification of such sale by this Court the payment of whole purchase money and not before the said Trustee by a good & sufficient Deed to be executed, and acknowledged according to Law shall convey to the purchaser the property to him or her sold.

free, clear and discharged, of all claim of the parties to this Cause and of any person claiming under them or either of them - And the said Trustee shall bring into this Court the money arising on such sale to be disposed of under the direction of this Court after deducting therefrom the costs of this suit and such Commissions to the said Trustee as this Court shall think proper to allow in consideration of the skill, attention & fidelity wherewith he shall appear to have discharged his Trust.

Ino: M. Robinson

And on the twenty eighth day of November in the year aforesaid, the said John B. Brown, the Trustee named in said decree, files in Court here, the following And, with the endorsement thereon, to wit:

Know all men by these presents, that we John B. Brown, Madison Brown and Robert S. Price of Queen Annes County, in the State of Maryland are held and firmly bound unto the State of Maryland in the full and just sum of One thousand dollars current money to be paid to the said State of Maryland, or its certain Attorney, to which payment well and truly to be made and due we bind ourselves and each of us, our and each of our heirs, executors and administrators jointly and severally firmly by these presents sealed with our seals and dated this 22^d day of November in the year eighteen hundred and seventy.

Whereas by a Decree of the Circuit Court for Queen Annes County, bearing date on the 28th day of January eighteen hundred and seventy and passed in a cause in the said Court, wherein John Goldsbrough and Mary E Goldsbrough his wife are Complainants and Solomon Truitt & wife are Defendants the above bound John B. Brown has been appointed Trustee to make sale of certain real estate in the proceedings in said Cause mentioned.

Now the Condition of the above obligation is such, that if the above bound John B. Brown do and shall well and faithfully perform the Trust reposed in him by said Decree, or that may be reposed in him by any future Decree or order in the premises, then the above obligation to be void, otherwise to remain in full force and virtue in law.

signed sealed and delivered in the presence of

Edwin H. Brown

John B. Brown

Robert S. Price

Madison Brown

{seal} {seal} {seal}

Security Approved and bond filed the 28th day of November 1870.

James Walters, Clerk Circuit Court for Queen Annes County.

And on the sixteenth day of January in the year eighteen hundred and seventy one, the said John B. Brown, the Trustee make the following report of Sale, to wit:

John Goldsbrough & Mary E Goldsbrough, his wife

vs
Solomon Truitt & Susan E Truitt, his wife

In the Circuit Court for Queen Annes County in Equity
Nov Term 1870.

To the Honorable Judges of the Circuit Court for Queen Annes County in Equity, The Report of John B. Brown, Trustee appointed by the Decree in this Case to make sale of certain Real Estate, therein mentioned, shows that after giving bond, with security for the faithful discharge of his trust as required by said decree, and after

giving notice of the time, place, manner, and terms of sale by advertisement in the Centreville Observer, a newspaper printed in Queen Annes for more than three successive weeks before the day of sale, he did pursuant to said notice attend in front of the Court House in the town of Centreville on Tuesday the 13th day of December eighteen hundred and seventy, between the hours of one and three o'clock P.M. and then and there proceeded to sell said Real Estate as follows to wit:— Your Trustee offered said Real Estate at public Auction to the highest bidder on the terms to wit: One half of the purchase money to be paid in cash on the day of sale, and the residue on a credit of four months from the day of sale, to be secured by negotiable note with approved security and with interest added at Banking rates, and sold said property, being the House and lot then in the occupancy of said Solomon Pruitt and Susan E. Pruitt his wife situate in the town of Centreville, Opposite the Methodist Protestant Church and adjoining on one side the property of Mrs. Mary Anlett and on the other the property of McKenney & Co. to William McKenney of Queen Annes County, he being then and there the highest bidder therefor at and for the sum of Five Hundred dollars— Your Trustee sets forth that said William McKenney thereupon waiving the right to a credit on a part of said purchase money, settled with your Trustee by the payment of the purchase money in cash— which cash sum of Five Hundred dollars your Trustee holds subject to the order of this Honorable Court.

All which is respectfully submitted

John B. Brown, Trustee.

And in the day and in the year last aforesaid, the following agreement was filed— to wit:—

John Goldstrough & Mary E. Goldstrough, his wife

In C. C. & Co
In Equity

vs
Solomon Pruitt & Susan E. Pruitt, his wife

We hereby agree that the Court shall forthwith pass an order finally ratifying and confirming the sale made and reported in this Cause by John B. Brown, Trustee

John Goldstrough
Mary E. Goldstrough
Solomon Pruitt
Susan E. Pruitt

State of Maryland Queen Annes County, to wit:—
I hereby Certify that on this fifth day of January in the year Eighteen hundred and seventy one personally appeared before me the subscriber a Justice of the Peace of the State of Maryland in and for the County aforesaid John B. Brown, Trustee, and made oath that the matters and things stated in the a foregoing Report of Sale are just and true as stated and that said sale was fairly made

R. Goldstrough, J.P.

And on the eighteenth day of January in the year last aforesaid the following order was passed, to wit:—

1871 January 17th Ordered by the Circuit Court for Queen Annes County in Equity and by the Authority thereof that the sale made and Reported in this Cause be finally ratified and confirmed

no Cause to the contrary thereof appearing and the parties Complainants and Defendants having filed their written consent thereto among the proceedings in this Cause, The Trustee is allowed the usual Costs Expenses and Commissions.

And on the fourteenth day of March in the year last aforesaid, Madison Brown, Auditor files in Court here, the following Report and Audit, to wit:

Frederick Stamp

John Goldsborough and Mary E Goldsborough, his wife

Cir Ct. for Queen Annes County In Chancery

vs

Solomon Trutt and Susan E Trutt, his wife

To the Honorable the Judges of the Circuit Court for Queen Annes County.

The Report of M Brown, Auditor to Your Honors respectfully shows that after Examining the proceedings in this Cause, he has stated the within Account between the Real Estate of Susan E Trutt and John D. Brown, Trustees for the sale thereof, in which he has charged the Trustee with the Gross Amount of sales and given him Credit for the usual Commissions, the Expenses attending said sale for two bills of taxes for 1869 and 1870 against said Real Estate paid to Robert G. Price Collector, and also to the Complainants for their offsuit and to Your Auditor for his fee \$4.50 for stating said account - These several items deducting from the gross proceeds of Sale, left a balance of Three hundred ninety nine dollars and sixty eight cents (\$399.68) which he audited to Complainants in part payment of vendors lien leaving due to Mary E Goldsborough on account of said lien on the 13th day of December 1870 the day of sale, the sum of One hundred and thirty dollars & ninety two cents (\$130.92) - All which is respectfully,

Submitted by
M. Brown, Auditor
March 11th. 1871.

Dr. The Real Estate of Susan E Trutt wife of Solomon Trutt in account with M Brown for the sale thereof

	Doll. cts
1870 Dec 13. To the Trustee for his Commissions	35.00
To the same for his Expenses - not personal	4.50
To the same for taxes paid R G Price Collector for 1869	11.03
& interest from 1 Jan. 70 to day of sale	9.74
To the for taxes paid R G Price Collector 1870	31.55
To Complainants for their Costs offsuit viz James Meeters, Clerk	11.55
M & J B Brown - Solicitors	20.00
To the Auditor for his fee	4.50
To this Balance	399.68
	\$300.00
To Compts in part payment of vendors lien	\$399.68

Statement of Vendors Lien as Appears from the Decree in the Cause.

viz - Amount due 1 September 1868 \$466.67

Int from 1 Sept. 68 to 13 Dec 70 day of sale. 13.93

\$530.60

1870 Dec 13, Cr By above Balance 399.68

1870 Dec 13. Balance due Mary Edalstorough	\$130.92	colln cts
By gross proceeds of Sales		500.00
By this this Balance		<u>\$369.08</u>

M. Brown, Auditor, March 11, 1871

And on the seventeenth day of May in the year last aforesaid, the Court here pass the following Order, to wit:
 Ordered, this 17th day of May in the year eighteen hundred and seventy one, by the Circuit Court, for Queen Anne's County in Equity, and by the Authority thereof, that the within and aforesaid Report of the Auditor be and the same is hereby finally ratified no Cause to the contrary thereof appearing, and the Trustee is directed to pay over accordingly with a due proportion of interest, on the amounts allowed, Excepting Costs and Commissions, as the same has been or may be received.

Jos: A. McKes.

Sallie E. Sterrett
 vs
 Richard F. Meredith and
 Sarah E. Meredith, his wife,
 and Charlotte A. Meredith

Be it remembered, that on the fourteenth day of August in the year Eighteen hundred and sixty nine, in the Clerk of the Circuit Court for Queen Anne's County was filed a bond in the words, and with the endorsement thereon, as follows, to wit:

Know all men by these Presents that We, John S. Brown, Madison Brown and Robert G. Price, of Queen Anne's County, Maryland, are held and firmly bound unto the State of Maryland in the full and just sum of Five hundred and twenty five Dollars and no part thereof, to which payment well and truly to be made and done, we binds ourselves and each of us, our and each of our heirs, Executors and administrators firmly by these presents, sealed with our seals and dated this fourteenth day of August eighteen hundred and sixty nine.

Whereas Sallie E. Sterrett as Mortgagee of certain Real Estate situate in the 2nd Election District of Queen Anne's County, Mortgaged by Richard F. Meredith wife and Charlotte A. Meredith and which is Recorded in Liber S.E.D. 7103, folio 546 &c. one of the Land Record Books of Queen Anne's County is about to sell said mortgaged premises by John S. Brown her agent and attorney by virtue of a power contained in said Mortgage. Now the Condition of the above Obligation is such, that if the above bound John S. Brown, as agent and Attorney aforesaid, does and shall well and truly abide by and fulfill any order or Decree which shall be made by any Court of Equity in relation to the sale of such mortgaged property or the proceeds of sale thereof then this Obligation to be void, otherwise to be and remain in full force and virtue in Law.

signed sealed & delivered in the presence of
 W. J. Wright.

John S. Brown
 Madison Brown
 Robert G. Price

Security approved and Bond filed August 14, 1869
 James Meaters, Clerk

And on the eleventh day of September in the year aforesaid, John S. Brown, agent and attorney for the said Sallie E. Sterrett, made the following Report of sale to wit:

Sallie E. Sterrett

Richard F. Meredith

In the Circuit Court for

Sarah E Meredith
Charlotte A Meredith

Queen Annes County
Sitting as a Court of Equity
To the Honorable Judges of the Circuit Court for

Queen Annes County, sitting in Equity

The Report of John P. Brown, Agent and attorney for Sallie E. Stovett, and named and appointed by her, as her agent and attorney for her and in her behalf to make sale of the hereinafter described mortgaged premises, as by instrument of writing under her hand and seal, bearing date the first day of July last and filed herewith marked Exhibit A, will more fully appear to your Honors respectfully set forth, that the said A. E. Meredith having committed default in the payment of the semiannual instalments of interest as called for by the terms of the accompanying mortgage filed herewith and marked Exhibit B, and having continued in default for more than ten days after same became due and payable, and still continuing in default in the payment of same, the said Sallie E. Stovett in pursuance of the power vested in her by the provisions of said mortgage, as aforesaid named and appointed one the said John P. Brown, her Agent and Attorney for her and in her behalf to make sale of said mortgaged premises - That in pursuance of the provisions of Article 64 of the Code of Public General Laws, the said John P. Brown, have filed with the Clerk of the Circuit Court for Queen Annes County, my Bond in penalty and with security approved agreeably to law conditioned for the faithful performance of my duties in the premises, all which will appear by proceedings in the cause - That in pursuance of the terms of said mortgage, and the said John P. Brown, as Agent and Attorney as aforesaid, having first given more than twenty days notice of the time place, manner and terms of sale, by advertisement in the Centerville Observer a newspaper printed in Queen Annes County, and by hand bills set up at the courthouse door in Queen Annes County and circulated throughout this and the adjoining States, and by advertisements in other suitable papers did attend in pursuance of the terms of said notice at Church Hill in Queen Annes County on Saturday the 14th day of August last, between the hours of one and three O'clock P.M. and there proceeded to sell said Real Estate, to wit: all that farm called "Providence Partnership" and Grove, adjoining the lands of John Brown Esqr. now in the tenancy of Mr. Whaley with woodlot belonging thereto, described in Surveyors Plot and Certificate filed herewith as part of this Report and containing by actual survey one hundred and eighty six acres, one rood and twenty five perches of land, at public Auction to the highest bidder, at which said sale Mrs. Susan A. Reed became the purchaser at forty seven dollars and thirty cents per acre or the aggregate of eight thousand eight hundred and seventeen dollars and one cent, said sum to be diminished by the reservation of two grave yards on the premises - which terms of sale and purchase as modified to suit the views of the Mortgagors were as follows, One thousand dollars at sixty days from 14th day of August (day of sale) and the residue in three equal instalments of nine, eighteen and twenty seven months from said day of sale with interest in each instalment as it falls due from the first day of January next, but after sale, the said Susan A. Reed substituted as the purchaser of said property in her stead George W. Smith of Queen Annes County who immediately proceeded to comply with the terms of said sale by giving his note at sixty days for one thousand dollars with Samuel Sny and David Harlock and John Copping as securities

and his bond with the same securities to secure the credit portion of said purchase money payable as aforesaid. All which is respectfully submitted.

John P Brown, Agent & Attorney for Sallie E. Sterrett

State of Maryland Queen Annes County, to-wit:

On this 11th day of September Eighteen hundred and sixty nine before the subscriber a Justice of the Peace of the State aforesaid in and for said County, personally appeared the within named John P Brown Agent and Attorney for Sallie E. Sterrett, mortgagee, and made oath that the matters and things stated in the foregoing report are true to the best of his knowledge and belief, and that the sale therein reported were fairly made.

A Sledborough J.P.

The Exhibits referred to in the aforesaid report of sale are as follows to-wit:

This is to certify that I have named and appointed, and do hereby name and appoint John P Brown of Queen Annes County my agent, for me and in my behalf to execute the power of sale contained in a Mortgage from N. J. Meredith wife and Charlotte A. Meredith to me bearing date the 23^d June 1868 and recorded in Liber S. E. D. No. 3, folios 540, 541 & 542 One of the Land Record Books for Queen Annes County, as witness my hand and seal this 1st day of July 1869.

Sallie E. Sterrett

This mortgage made this twenty third day of June in the year eighteen hundred and sixty eight by Charlotte Ann Meredith; Richard F. Meredith and Sarah E. Meredith, wife of the said Richard F. Meredith, all of Queen Annes County State of Maryland, Minors; that in consideration of the sum of Five thousand, three hundred and fifteen dollars with legal interest thereon, now due and owing by the said Richard F. Meredith to Sallie E. Sterrett of the County and State aforesaid, the said Charlotte Ann Meredith, Richard F. Meredith and Sarah E. Meredith do hereby grant and convey unto Sallie E. Sterrett aforesaid all those tracts, parts of tracts or parcels of land situate in the second Election District of Queen Annes County, Called "Providence" Parish and Grove" Containing, One hundred and forty five acres and three fourths of an acre of land more or less; and also part of another tract or parcel of land Called "Woodlands" Containing ten acres of land more or less, being the same land more particularly and fully described in a deed from George Vickers, Trustee to sell the Real Estate of William Coleman, deceased to Thomas Slaughter and recorded in Liber S. P. No. 3, folios 380 & one of the Land Record Books of Queen Annes County, and also in a deed from the said Thomas Slaughter and wife to the said Charlotte Ann Meredith and Richard F. Meredith, recorded in folios 382 & of the same Record Book and subject to the reservation as to the grave yard, as are contained in said deeds, and being also the same lands that were devised by the last will and Testament of Benjamin Meredith now of Record in the Office of the Register of Wills of Queen Annes County to the said Charlotte Ann Meredith and Richard F. Meredith, and also all that other part of a tract or parcel of

Handwritten notes: "256", "55", "200", "175", "135", "105", "75", "45", "15", "5".

land called "Grove" containing twenty acres of land more or less which was conveyed by William J. Polph and wife to the said Sarah E. Meredith wife of the said Richard F. Meredith. by deed bearing date the twenty first day of July eighteen hundred and fifty nine, and Recorded in Liber M.B. No. 1 Folio 206. one of the Land Record Books of Queen Annes County, and which said last described parcel of land is contained within the same enclosures as are the parcels first herein before described called "Providence" Partnership and Grove; Provided that if the said Richard F. Meredith shall pay to the said Sallie E. Sterrett the aforesaid sum of Five thousand three hundred and fifteen dollars principal on or before the first day of June eighteen hundred and seventy one, with legal interest thereon semiannually from the date of these presents, the last semiannual payment to be made on the day on which the said principal sum is due and payable then this mortgage shall be void. Provided also that in case of default in the payment of the interest or of any part thereof at the times above stipulated, such interest so unpaid shall become principal and shall bear interest from the times the same was due and payable and further that in case of default in the payment of either principal or interest or any part of either for the period of ten days from and after the times in this mortgage specified, the said Sallie E. Sterrett, her Executors, administrators or assigns or any person to be named by her or them may sell at Public Sale the said mortgaged premises for the payment of the whole of said mortgage debt or of such part as may remain unpaid and all arrearages of interest and it is further stipulated that such sale shall be for Cash and upon twenty days previous notice thereof by advertisement in some newspaper printed in Queen Annes County and by hand bills set up at the Court House door in said County, and the said Charlotte Ann Meredith and Richard F. Meredith covenant that the said Richard F. Meredith will pay all taxes and assessments of every sort levied or to be levied on the aforesaid mortgaged debt whenever the same shall be legally demanded and in case of failure by the said Richard F. Meredith to pay said taxes and assessments as above provided and the same shall be paid by the said Sallie E. Sterrett, her Executors, administrators or assigns, such payment shall constitute with the interest thereon a part of the mortgage debt hereby created and be a lien on the lands hereby mortgaged and in the event of a sale as above stipulated the taxes and assessments so paid shall be refunded out of the proceeds of such sale, as also the interest on such taxes and assessments from the dates of such payments and the said Charlotte Ann Meredith and Richard F. Meredith further covenant with the said Sallie E. Sterrett, her Executors, administrators or assigns that the said Richard F. Meredith, will pay the said principal sum and interest thereon at the times herein before specified and in case of failure on his part so to pay the said Richard F. Meredith will pay the attorneys fees for collection and all other costs and expenses attending or connected with the collection of said mortgage debt and the same are hereby made a part of said mortgage debt and a lien on the lands hereby mortgaged. Witness our hands & seals the day & year first above written

W. B. Ruth

C. A. Meredith Seal
 R. F. Meredith Seal
 S. E. Meredith Seal

State of Maryland, Queen Anne's County, to wit
 Thereby Certify that on this 23^d day of June 1868 before the Subscriber
 a Justice of the Peace of the State of Maryland in & for Queen Anne's
 County personally appeared Charlotte Ann Meredith, Richard F. More-
 dith & Sarah E. Meredith wife of said Richard, Grantors named in the
 aforesaid mortgage deed & severally, acknowledged the same to be their re-
 spective act.

Wm. B. Ruth, J.P.

State of Maryland, Queen Anne's County, to wit.
 Thereby Certify that on this twenty seventh day of June in the
 year eighteen Hundred and sixty eight personally appeared before
 me the subscriber a Justice of the Peace of the State in and for
 the County aforesaid John B. Brown, Agent for Sallie E. Sterrett
 the mortgagee in the within mortgage, and made oath in due
 form of Law that the consideration stated in said mortgage
 is true and bona fide as therein set forth, and that he the said
 John B. Brown, is the agent of the Sallie E. Sterrett and by her auth-
 ority to make the aforesaid oath as to the truth and bona fide of the
 consideration therein stated

June 27th 1868

A Goldsborough, J.P.

The Surveyors Plat and Certificate also referred to in aforesaid
 report of sale, is as follows, to wit:

State of Maryland, Queen Anne's County, S.S.
 Thereby Certify that I have surveyed for John B. Brown
 Esq. Trustee, a tract of land called "Providence" in the
 upper part of Q. Anne's Co. Md. lying upon the Public Road from
 Church Hill to Chester town and contained within the following notes
 and bounds, courses and distances to wit: Beginning on the road
 above named, where the road from "Rolph's Landing" to the "M. E. Church"
 crosses said road and running thence south fifty five degrees east
 one hundred and eighty eight perches, thence south forty seven degrees
 east fifty three perches, thence south sixty two degrees east thirty five perches
 and a half perch, thence north twenty three degrees east sixty eight perches,
 thence north seventy seven perches and a half perch thence west thirty two
 perches, thence north fifty four perches, thence west fifty seven perches
 and a half perch, thence south fifty three degrees west six perches, thence
 north eighty four degrees west one hundred and thirty perches and six
 tenths of a perch, thence south sixteen degrees west nine perches, thence
 north eighty four degrees west nine perches and thence south twenty deg-
 rees west thirty nine perches to the beginning, containing one hun-
 dred and seventy five acres, three rods and sixteen perches of land.

James W. Thompson, C.S. August 20, 1869.

Note - The lot upon the west side of the plot is a Wood Lot, and is bound-
 ed as follows. Beginning at a stone at the N.W. corner and running
 thence south, six^{ty} nine degrees east twenty perches, thence south thirteen
 degrees west sixty nine perches to the main road from Church Hill to
 Harrison's Landing, thence with the road, north eighty degrees, west twenty perches
 and thence north thirteen degrees fifteen minutes east eighty six perches and
 eight tenths of a perch to the Beginning containing ten acres two rods
 and nine perches of land

J. W. T. Aug. 23, 1869

The above plot was made by the lines from the deed
 and not from actual survey by me.

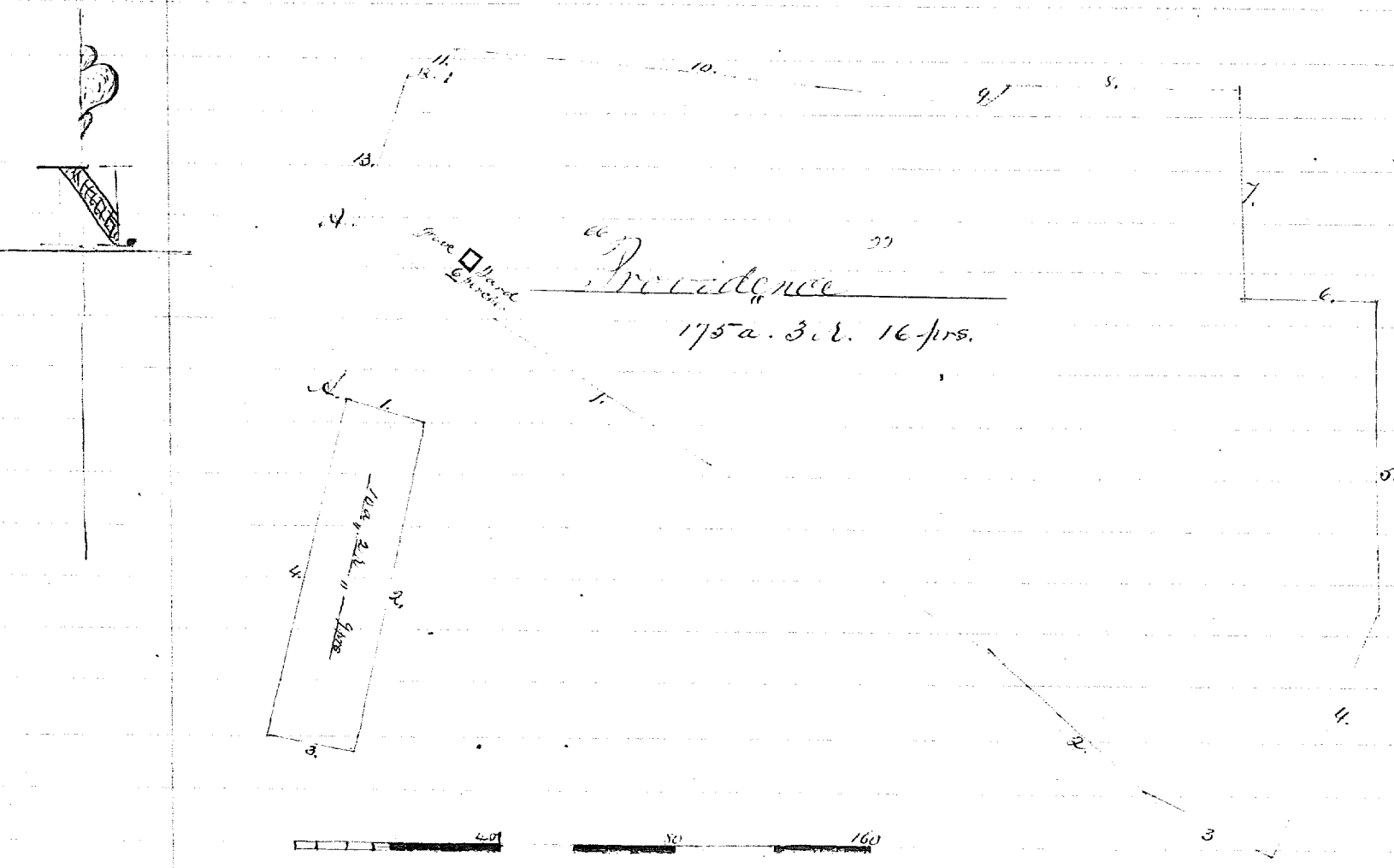


Table of Courses		
No.	Bearings	Distance
1.	S. 55° " E.	155 p. rs.
2.	S. 47° " E.	53 "
3.	S. 62° " E.	35 1/2 "
4.	N. 23° " E.	65 "
5.	North	77 1/2 "
6.	West	32 "
7.	North	57 "
8.	West	57 1/2 "
9.	S. 53° " N.	6 "
10.	N. 54° " N.	130 1/10 "
11.	S. 10° " N.	9 "
12.	N. 28° " N.	9 "
13.	S. 20° " N.	39 "

175 a. 3. l. 16 p. rs.

And on the said eleventh day of September in the year aforesaid, the following order was passed, to wit:

Sallie E. Sterett
 vs
 Richard F. Meredith
 Sarah E. Meredith
 Charlotte A. Meredith

In the Circuit Court for Queen Anne's County
 In Equity sitting

Order nisi

Ordered, that the sale made and reported by John B. Brown, agent and Attorney for Sallie E. Sterett, Mortgagee of the Real Estate of Richard F. Meredith, Sarah E. Meredith and Charlotte A. Meredith be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 1st day of November next; provided a copy of this order be inserted in some newspaper printed at Centerville in Queen Anne's County once in each of three successive weeks before the 1st day of October next.

The Report states the amount of sales to be \$8817 1/100

James Moores, Clerk

And on the twelfth day of November in the year aforesaid, the following certificate was filed, to wit:

Sallie E. Sterett
 vs
 Richard F. Meredith
 Sarah E. Meredith
 Charlotte A. Meredith

In the Circuit Court for Queen Anne's County. In Equity sitting

Order nisi

Ordered, that the sale made and reported by John B. Brown, Agent and Attorney for Sallie E. Sterett, Mortgagee of the real Estate of Richard F. Meredith, Sarah E. Meredith and Charlotte A. Meredith, be ratified and confirmed, unless Cause to the contrary thereof be shown on or before the 1st day of November

next: provided, a copy of this order be inserted in some newspaper printed at Centreville, in Queen Annes County, once in each of three successive weeks before the 14th day of October next.

The report states the amount of sales to be \$8,817.

James Weaters, Clerk

True Copy

Test: James Weaters, Clerk

I hereby certify that the annexed notice was published in the Centreville Observer, a newspaper printed at Centreville, in Queen Annes County once in each of three successive weeks before the 14th day of October 1869.

W. H. Busted

And on the same day and year aforesaid, the Circuit Court for Queen Annes County pass the following order, to wit:

In the Circuit Court for Queen Annes County, in Equity

Nov. Term 1869 — Ordered, That the sale within reported, be and the same is hereby ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given as directed by the preceding order. The Trustee, or agent and attorney making the sale is allowed the usual commissions and expenses —
Nov 12th 1869.

Frederick Stump

Jos. A. Wickes

And afterwards, to wit, on the fourteenth day of May in the year eighteen hundred and seventy, the Court here pass the following order, to wit:

Sallie E. Sterett

Circuit Court for
Queen Annes County
In Equity

vs
R. F. Meredith &
Others

Ordered on this 14th day of May in the year 1870, by the Circuit Court for Queen Annes County, and by the Authority thereof that all persons having claims against the Real Estate reported sold in this Cause, or the proceeds thereof and all creditors of R. F. Meredith file their said claims with the proper vouchers attached thereto with the Clerk of this Court on or before the 1st day of July next, and that notice of this order be given by the publication of an attested copy thereof in some newspaper published in Queen Annes County once in each of three successive weeks before the 15th day of June next.

Jos. A. Wickes

Frederick Stump

And on the seventh day of July in the year last aforesaid, the following affidavit was filed, to wit:

State of Maryland, Queen Annes County, to wit:

I hereby certify that on this 5th day of July 1870 personally appeared before me the subscriber a Justice of the Peace of the State in and for County aforesaid Mrs Charlotte Ann Meredith and made oath in due form of law that she the said Charlotte Ann Meredith, sixty four years and four days of age on the 14th day of August 1869, the day on which the R. F. Meredith Farm was sold by John B. Brown Attorney for Sallie E. Sterett and that her health was then has been since and is now generally good, and that she elects to take her interest in said Farm in money the amount whereof she is willing shall be ascertained and fixed by the proceedings in the Case of the sale of said Farm by said John B. Brown reported

by him to the Circuit Court for Queen Annes County, in Equity
Chas. H. Weakley, J.P.

State of Maryland, Queen Annes County, to wit:

I hereby Certify that on this 5th day of July 1870 personally appeared before me the subscriber a Justice of the Peace of the State of Maryland in and for the County aforesaid, Mrs. Todd and Thos. H. Clifford and made oath the said Charlotte Ann Meredith was on the 14th of August 1869 in good condition of health, has been since and now is so, to the best of their knowledge and belief

Chas. H. Weakley, J.P.

And on the eighth day of July in the year last aforesaid the following order was filed, to wit:

Sallie E. Sterrett
vs
R. F. Meredith et al

In Circuit Court for Queen Annes
in Equity.
May Term, 1870.

Ordered by the Circuit Court for Queen Annes County, in Equity, and by the authority thereof, that Madison Brown be and he hereby is appointed Special Auditor in this case. T. B. Stopper the Standing Auditor of the Court, being unable from indisposition to discharge his duties in the case -

June 28/70

Mrs. M. Robinson

I, Madison Brown do make oath, that I will faithfully execute the duties of Special Auditor in the case of Sallie E. Sterrett vs R. F. Meredith et al without favor, affection, partiality or prejudice.

Sworn before, Mrs. M. Robinson

And on the eighteenth day of July in the year last aforesaid Sarah E. Meredith, by her Attorneys, Madison and John S. Brown Esquires files in Court here, a petition in the words following, to wit:

Sallie E. Sterrett
vs
R. F. Meredith et al

In the Circuit Court
for Queen Annes County
in Equity

To the Honorable Judges of the Circuit Court for Queen Annes County in Equity: The petition of Sarah E. Meredith to your Honors respectfully sets forth that the indebtedness intended to be secured by the mortgage in this case was the indebtedness of R. F. Meredith her husband, and in which she had no individual concern or interest excepting as the wife of said R. F. Meredith she uniting therein to enable him to borrow money to pay off his said indebtedness - Your Petitioner further sets forth that a part of the Real Estate embraced in said mortgage is her individual Estate and property and not liable for the general indebtedness of the said R. F. Meredith and only secondarily liable for the money intended to be secured by said mortgage and as evidence of her title to said Real Estate consisting of twenty acres of land sold by the said Sallie E. Sterrett or her attorney. She files herewith a deed of Conveyance thereof executed and acknowledged agreeably to law by William J. Rolph and wife, bearing date the 21st July 1859 and recorded in Liber M. B. folio 206 One of the Land Record Books for Queen Annes County, and prays that the Auditor may be directed in distributing the funds in this case after satisfying the Mortgagee's interest and Costs to distribute to your Petitioner the purchase money for the twenty acres of land aforesaid

if there shall be as much remaining or so much thereof as shall remain after the satisfaction of said Mortgage debt, interest and Costs.

Wm. J. P. Brown, Solicitors
for the Petitioner Sarah E. Meredith

Which said petition being read, and by the Court here considered, the following order was passed, to wit:

Ordered by the Circuit Court for Queen Anne's County in Equity and by the Authority thereof that the Auditor in this Case be and he is hereby directed, in answer to the petition of Sarah E. Meredith to take testimony relative to and ascertain the value of the separate estate of Sarah E. Meredith embraced in the sale reported in this Cause and to allow said Petitioner for her said Real Estate in accordance with said ascertained value after the satisfaction of the mortgage debt, interest and Costs.

18 July 1870

Ans. Wm. Robinson

And afterwards, to wit; on the twelfth day of April in the year eighteen hundred and seventy one, Madison Brown, Special Auditor files in Court a Statement of Claims together with a Report and account in the words and figures following, to wit:

Sallie E. Sterett
vs
R. F. Meredith & others
Circuit Court for
Queen Anne's County
In Chancery

Statement of Claims filed in this cause against the Real Estate sold therein with interest brought up to 14th August 1869, the day of Sale:

	Debit	Credit	Balance
1101 S. E. Sterett Principal of Mortgage debt	5315.00		
Int. from June 23/68 to 23 Dec 68 - 6 mos	159.45		
Int on \$5315. from 23 Dec. 68 to 2 April 69	87.69		
Int on \$159.45 from 23 ^d Dec 68 to 2 Apr. 69	2.63		
	<u>5364.77</u>		
1869 Apr. 2 ^d Cr. By Cash Pd. by R. F. Meredith		75.00	
Int on \$159.45 from 2 Apr. to 19 Apr. 69 - 17 mos		5489.77	
Int on \$5315.00 for same time		15.05	
		<u>5505.27</u>	
1869 Apr. 19 th Cr. By Cash Pd. by R. F. Meredith		40.00	
Int on \$3465.27 from 19 th Apr. to 14 Aug 69 =		3265.27	
Int on \$139.45 from 23 ^d June 69 to 14 Aug 69 =		104.75	
Atty Comm. on \$3571.37 @ 5 per cent. as per agreement in mortgage		1.35	
		<u>278.56</u>	
			\$5849.93
1102 Amt of mortgage debt due on 14 Aug. 69			
Alex Cahall use of John B. Brown. Judgment in Civ. Ct. for Q. A. Co vs R. Meredith & S. Rolph dated 5 th May 68 - for bal. due 10 th May 1869 as per Statement		390.02	
Int from 10 May 69 to 14 Aug 69 -		611	\$396.13
1103 John Price use of Joshua S. Casden. Judgt. vs R. F. Meredith. dated 20 July 1868. Principal	557.66		
Int from 20 July 68. to 11 August 69.	35.03		
Costs of Suit	8.60		
Costs of Fife & add. Costs	14.40		
Sheriff's Poundage fees &c.	21.42		
	<u>627.11</u>		
1869 Aug 11. Cr. By Sallie of R. F. Meredith's grain		386.76	
Int from 11 Aug. 69. to 14 Aug. 69		34.35	
		<u>2</u>	
			1280.43

No 4.	<p>Amount of Claims brought forward First Kent Nat. BK use of B. S. Ford & Joseph Cadlin vs R. F. Meredith, Judgment dated 20 July 1868 for Principal Int. from 20 July 68 to 14 Aug. 69 Costs of suit Costs of Fi Fa. & add. Costs Sheriff's Prondage fees & - a moiety each to B. S. Ford & J. Cadlin</p>	<p style="text-align: right;">\$6280.43</p> <p>311.86 14.96 8.80 3.00 13.88 357.50</p>
No 5.	<p>Tho: Kemp & Co. vs R. F. Meredith Judgment the 12th day of October 1868 for Principal Int. from 12 Oct. 68. to 14 Aug. 69 = 7^m. 2^d Costs of suit</p>	<p>121.57 6.12 7.25 134.96</p>
No 6.	<p>Geo. W. D. Perkins vs R. F. Meredith. Judgment November 5th 1868 for Principal Int. from 5 Nov. 68 to 14 August 1869 = 9^m. 9^d Costs of suit</p>	<p>96.88 11.50 6.85 108.23</p>
No 7.	<p>Dr: H. Evans use of J. H. Deeverton use of J. O. Rolfe & C. Beck Exor of W. H. Beck. Judgt. dated 25 Jan'y 69 for Principal & Atty's Com. in do Cr. endorsed on judgment Cr. Atty's Com. on \$246.50 Int. of Bal. from 25 Jan'y 69. to 14 Aug. 69 = Costs of Suit Costs of Fi Fa. & add. Costs Sheriff's Prondage fees & -</p>	<p>1309.83 65.49 246.50 12.32 balance 1116.50 37.03 8.75 2.80 40.00 1205.08</p>
No 8.	<p>Farmers & Merchants BK of Greenborough use of Geo: M. Rufum. vs W. H. Yearley & R. F. Mere- dith. Judgt. date 25 Jan'y 69. for Int from 25 Jan'y 69. 14 August 69 - Costs of suit</p>	<p>103.011 3.41 11.50 117.91</p>
No 9.	<p>Whitely. Bro. Geo. vs R. F. Meredith. Judgment dated 25 January 1869 for Principal Int. from 25 Jan'y 69. to 14 Aug. 69 = Costs of suit \$720 add. do. \$140</p>	<p>618.16 20.17 8.60 136.93</p>
No 10.	<p>William Vannort vs R. F. Meredith Judgt. dated 25 January 69 for Principal Int. from 25 Jan'y 69 to 14 Aug. 69. Costs of suit</p>	<p>138.30 4.59 9.15 4.40 157.04</p>
No 11.	<p>Benjamin Meredith vs R. F. Meredith & Saml. B. Meredith. Judgment dated the 25th Jan'y 1869 for Principal Int. from 25 Jan'y 69 to 14 August 1869 - Costs of suit</p>	<p>230.19 7.13 8.85 246.67</p>
No 12.	<p>W. C. Grist vs R. F. Meredith. Judgment dated 25 Jan'y 69 for Principal Int. from 25 Jan'y 69 to 14 Aug. 69 = 6^m. 19^d Costs of suit</p>	<p>154.25 5.12 8.40 167.77</p>
No 13.	<p>Benj. Nields Endorsee of Randolph Peters vs R. F. Meredith. Judgment dated 3^d day of May 1869</p>	<p></p>

	for Principal	257.37	
	Int from 3 May 69 to 14 Aug. 69 = $\frac{71}{3}$ d.	4.36	
	Costs of suit	8.60	272.33
No 14.	Susan Reed now wife of Gustavus Porter vs R. F. Meredith Am. T. Ralph & John H. Rusk. Judgment dated 19 day of July 1869. for Principal	324.00	
	Int from 19 July to 14 August 69 - 25 days	1.35	
	Costs of suit	15.35	
	Costs of Tr & Fa	1.40	342.10
No 15.	J. C. Stonebaker & Co vs R. F. Meredith. Judgment dated 19 July 69. for Principal	312.69	
	Int from 19 July 69. to 14 Aug. 69 = 25 days	1.57	
	Costs of suit	8.55	312.75
No 16.	J. M. J. Byron vs R. F. Meredith. Judgment. dated July 19, 1869 for Principal	188.45	
	Int from 19 July 69. to 14 Aug 69 - 25 days	.79	
	Costs of suit	8.55	197.79
No 17.	Joseph Cutton - Costs of suit on judgt. rend. on note Endorsed by him for R. F. Meredith dated 20th July 68.	8.40	
	Plffs Cost of Tr & Fa & add. costs	3.50	
	Defendants Costs	6.40	17.80
No 18	P. S. Ford - Costs of suit on judgt. rend. on note Endorsed by him for R. F. Meredith dated 20th July 1868	8.40	
	Costs of Tr & Fa & add. costs	3.50	
	Defendants Costs	6.30	17.70
			<u>10275.49</u>

per M. Brown, Auditor.

April 12, 1871.

Jullie E. Strett. Mortgages
vs
Richard F. Meredith & Others
Mortgagors

Cir. Ct. for
Queen Annes
County - In Chancery

To the Honorable, the Judges of the Circuit Court for Queen Annes County - Your Auditor respectfully reports to your Honors that after examining the papers in this Cause filed, he first made out a Statement of the Claims, numbering 18 in all and the aggregate amount of which is \$10275.49. which is herewith returned as part of this Report - He next proceeded to state an account between the mortgaged Real Estate and Jullie E. Strett's mortgages, allowing first \$20. to the purchaser for the grave yard reserved from the sale, and then to John B. Brown Attorney for S. E. Strett for his Commissions, for Expenses incurred as per bills filed, for State & County taxes for 1869 paid out of sales, for the Costs of suit as per bill of Costs taxed by the Clerk and for the Auditors fee - He next allowed the Mortgagees claim for the mortgage debt & interest, and a judgment of A. J. Lockhall use of J. B. Brown for balance in full & interest, the same being a Judgment rendered prior to the execution of the mortgage - Deducting these there remained the sum of \$1940.59 out of which he allowed Sarah E. Meredith wife of R. F. Meredith the sum of \$900.00 less \$62.44 its its proportion of Commissions, Expenses &c. - This was the value of 20 acres

of Land at \$113.00 per acre, that being the average value, as appears by the testimony taken by the Auditor & Mercurth returned - These 20 acres were included in the mortgage and their sale liable to the payment of the mortgage debt & Expenses, but not liable to other Creditors of R.F. Meredith's Mrs Charlotte Ann Meredith who was entitled to a life in a moiety of the land sold, left the 20 acres belonging to Mrs Sarah Meredith, also united in the mortgage to secure the payment of the mortgage debt - Your Auditor has therefore allowed her the value of her life Estate in money and ascertained the same to be \$987.13 less \$68.50 its proportion of Commissions, Expenses &c or $\frac{1}{4}$ of \$3948.50, which is a moiety of the sales of the land, deducting the sales of Mrs S.E. Meredith 20 acres - The Affidavit shows that at the time of the sale Mrs C.A. Meredith was 64 years of age & in good health, and R.F. Meredith who was entitled to the reversion was between 32 and 33 years of age. In making this allowance he has followed the analogy of the rules for allowance of Dower adopted in the High Court of Chancery, which gave to a widow of that age in good health $\frac{1}{2}$ and three times that sum for a tenant for life of like age & health, would be $\frac{1}{4}$ - This Court has not laid down any specific rule for tenants for life but formerly it had adopted the Chancery scale for widows - Since this rule was adopted in the High Court of Chancery, the Act of Assembly has established a different rule for widows but none for a tenant for life - That rule broadly is not more in any case than $\frac{1}{3}$ nor less in any case than $\frac{1}{10}$ where the party is in good health - It is a mere arbitrary rule and adopted probably because Dower is so much favored in the law, for as females marry from 16 years to all ages upwards and are liable to become widows at almost every age, there is a wide margin between 16 and 40 within which ages the allowance is the same and yet it would not seem just to allow a tenant for life between those ages $\frac{3}{4}$ of the fee or nearly one half - So the general rule to a healthy widow from 56 years upwards is $\frac{1}{10}$ but to allow to a healthy tenant by the Curtesy or tenant for life all ages beyond 56, $\frac{3}{10}$ seems to your Auditor to be too much altho that would be the allowance under the rules established by the Circuit Court of Baltimore City - In the absence of any law and of any positive rule adopted by this Court, your Auditor thinks the allowance of one fourth to Mrs C.A. Meredith to be quite ample - Your Auditor has also made an allowance of \$16.05 to Mrs S.E. Meredith wife of R.F. Meredith for her contingent right of Dower - To obtain this sum, he deducted from the sales of the whole land the Comm: all Expenses and Costs and the mortgage debt and the allowances above made to Mrs C.A. Meredith and herself - This left a balance of \$144.59 in which Mrs S.E. Meredith is entitled to contingent Dower - As her husband was nearly 33 years old at the time of the sale and she nearly 30, the probability is that she would survive him - The husband's expectations of life according to the tables is about 30 years more, at which time Mrs Meredith would be 60 years old or nearly so, and if the payment of her Dower was postponed to that time, she would then receive $\frac{1}{10}$ of \$144.59 or \$14.45 - Your Auditor has therefore allowed her such a sum as would if put out at simple interest at 6 per cent for 30 years amount to \$14.95, which sum as before stated is \$11.05 - Deducting these various allowances, there remained applicable to other Creditors of R.F. Meredith according to the priority of their liens the sum of \$168.35 - This sum your Auditor has distributed in equal

proportions to the two Oldest judgments, they being of the same date and designated on the list of claims as Nos 3 & 4 respectively -
 All which is respectfully submitted, to your Honors by
 M Brown, Auditor
 April 12th. 1871

Dr The mortgaged Real Estate of Richard S Meredith and others in account with 1869 Dullie E. Sterett Mortgage, per John B Brown her atty for the sale thereof & Haug To this amount remitted to the purchaser on account of two Graveyards reserved.		20.00
Dr John B Brown, Attorney for Comm: on \$8797.01		396.88
To do for Expenses as per Bills & Receipts		72.63
To do for State & Co taxes for 1869 paid J. S. Smyl collector		65.35
Dr Mortgages cost of suit viz J. Healer Clerk		32.80
" M & J B Brown, sol ^r		20.00
To M Brown, Auditor for his fee		22.50
To S. E. Sterett for her Mortgage debt &c per Claim No 1		5849.93
To Alex Cahall use of J B Brown on judgment prior to date of Mortgage = Claim No. 2		396.13
To this Balance of purchase money		1940.57
		<hr/>
		\$8817.01
To Sarah E. Meredith for the value of 20 acres of land & belonging to her in fee & included in the Mortgage at \$45. per acre as averaged by the testimony \$900.00 Less its proportion of Comm: &c.		62.44
		837.56
To Charlotte A. Meredith for the value of her life Estate in a moiety of the lands sold after deducting the value of 20 acres owned by S E Meredith to wit: 1/4 of \$3948.50 =		987.13
Less its proportion of Comm: &c.		68.50
		918.63
To Sarah E. Meredith for her Contingent right of dower in \$449.59 that being the sum left after discharging the mortg. debt, expenses & above allowances to C A Meredith & herself 1/10 of \$449.59		344.95
Less the interest on the present value of said sum allowing 30 yrs for the expectation of life of Richard S Meredith		2890
		11.05
To this Balance applicable to other Claimants		148.35
		<hr/>
		1940.57
1869 August 14th By Gross proceeds of sale as per Report		\$8817.01
By Balance of purchase money		1940.57
By this Balance		<hr/>
		118.35
To John Price use of Joshua Skerden claim no 3		\$34.37
To First Kent Nat. BK use of B S Ford & Hatten as per Claim No 4		\$357.50
A moiety of Dividend on no 4 to each B S Ford & Hatten		153.59
M. Brown, Auditor		\$118.35
		\$118.35

April 12, 1871

And on the seventeenth day of May in the year last aforesaid, the Court here, pass the following order, to wit:
 Ordered, on this 17th day of May in the year eighteen hundred

and Seventy one, by the Circuit Court for Queen Anne's County in Equity and by the Authority thereof, that, the within and foregoing Report of the Auditor be and the same is hereby ratified and confirmed and the Mortgagee, or her agent is directed to pay over accordingly with a due proportion of interest on the amounts allowed in said Audit except on Costs and Commissions allowed, as the same has been or may be received.

Jos. A. Wickes

Henry Seenev and
Anna C. Seenev, his wife

vs
Blaney E. Crof, Ella B
Crof, and William S Crof

Be it remembered, that on the
twenty sixth day of April in the year
eighteen hundred and sixty nine,
Henry Seenev and Anna C. Seenev
his wife, by Thomas J. Keating
Esquire, their Solicitor, filed in

the Circuit Court for Queen Anne's County, sitting as a Court of Equity, their Bill of Complaint, against the said Blaney E. Crof, Ella B Crof and William S. Crof, as follows, to wit:
To the Honorable, the Circuit Court for Queen Anne's County as a Court of Equity— The Bill of Complaint of Henry Seenev and Anna C. Seenev his wife, formerly Anna C. Crof, of Queen Anne's County, humbly shows, that your Oratrix the said Anna C. Seenev is seized in fee of an undivided moiety in a lot of land forty four feet wide and three hundred and thirty four feet deep, from fence to fence, improved by a dwelling House, and situated on Liberty Street, Opposite to the Academy's lot and adjoining the property of Annie C. Palmer in the town of Centreville in said County and at present occupied by Henry P. Pranks—; that Blaney E. Crof, Ella B. Crof and William S. Crof, infant Children of the late William H. Crof deceased, are seized in fee of the remaining undivided moiety in said lot of land subject to the dower right of Annie W. Crof, widow of the said William H. Crof deceased therein, each of said Children being entitled to an equal share, portion of said remaining undivided moiety And your Orator and Oratrix charge that, it will be for the interest and advantage of the said Blaney E. Crof, Ella B. Crof, and William S. Crof, and of your Oratrix to sell the aforesaid lot of land and to divide the proceeds thereof between the parties in the proportions before stated. But that the said Blaney E. Crof, Ella B. Crof and William S. Crof are infants under the age of twenty one years, and your Orator and Oratrix are therefore advised, that a sale thereof cannot be had without the assistance of this Court—

To the end therefore that the said Blaney E. Crof, Ella B. Crof and William S. Crof, may answer the premises, and that a decree may be passed for a sale of the aforesaid Land, and the proceeds of said sale be distributed between the said Blaney E. Crof, Ella B. Crof and William S. Crof, and your Oratrix in the proportions herein before stated, and that your Orator and Oratrix may such further or other relief as their case may require—

May it please this Honorable Court to grant unto your Orator and Oratrix the writ of Subpoena against the said Blaney E. Crof, Ella B. Crof and William S. Crof of Queen Anne's County, commanding them to appear in this Court at some certain time

to be therein named. to answer the premises and abide by and perform such decree as may be passed therein, and as in duty bound
sc
Thos. J. Keating, Solicitor
for Complainant

Whereupon. Subpoena was issued for the said Blaney E. Crof, Ella B. Crof and William S. Crof, as follows, to wit:

State of Maryland, Queen Annes County, to wit: To Blaney E. Crof, Ella B. Crof and William S. Crof of Queen Annes County, Greeting:

Be it known that all excuses set apart you be and appear before the Circuit Court for Queen Annes County, sitting as a Court of Equity to be held at Centreville in said County on the first Monday of May next, to answer unto the Bill of Complaint of Henry Seeney and Anna E. Seeney his wife against you in said Court exhibited.

Whereof fail not: as you will answer the contrary at your peril.

Witness the Honorable John M. Robinson Chief Judge of the Circuit Court in the second Judicial Circuit of the State of Maryland, the twenty fifth day of January, in the year eighteen hundred and sixty nine.

Issued the 20th day of April 1869.

James Hoaters, Clerk

At which said first Monday of May in year aforesaid, comes into Court here, the said Henry Seeney and Anna E. Seeney, his wife, by their Solicitor aforesaid; and the Sheriff of Queen Annes County aforesaid, to wit, John R. Story, Gentleman, makes return to the Court here, of the aforesaid Subpoena, thus endorsed, to wit: "Said John R. Story, Shff."

And thereupon the said Blaney E. Crof, Ella B. Crof, and William S. Crof come into Court here; whereupon Annie M. Crof is specially admitted by the Court here, to defend for the said Blaney E. Crof, Ella B. Crof and William S. Crof, who are infants under twenty one years of age, as guardian of the said Blaney E. Crof, Ella B. Crof and William S. Crof; and thereupon Edwin H. Brown Esquire appears in Court here, as Solicitor for the said Annie M. Crof Guardian as aforesaid. And on the eighth day of June in the year aforesaid, the said, the said Annie M. Crof, Guardian of the said Blaney E. Crof, Ella B. Crof and William S. Crof, filed in Court here her answer to the said Bill of Complaint, as follows, to wit:

Henry Seeney and Anna E. Seeney his wife
vs
Blaney E. Crof, Ella B. Crof, and William S. Crof
In the Circuit Court for Queen Annes County, In Equity

To the Honorable, The Judges of the Circuit Court for Queen Annes County.

The joint answer of Blaney E. Crof, Ella B. Crof, and William S. Crof, infants under the age of twenty one years by Annie M. Crof their Guardian, to the Bill of Complaint of Henry Seeney and Anna E. Seeney his wife against them in Chancery exhibited.

These defendants cannot admit any of the matters and things alleged in the said Bill, and being infants of tender years submit all their rights to the protection of this Court,
Annie M. Crof, Guardian

On this 8th day of June eighteen hundred and sixty nine the above named Anna M. Crof Guardian, Appeared before me a Justice of the Peace of the State of Maryland in and for Queen Annes County and made oath that the matters and things stated in the foregoing joint answer are true to the best of her knowledge and belief

R. Goldsborough, J.P.

And on the tenth day of June in the year aforesaid, the following Agreement was filed, to wit:

Henry Seeneys & Anna E Seeneys his wife

In the Circuit Court for Queen Annes County

vs
Blaney E. Crof, Ella B. Crof and William S. Crof.

In Equity

I, Anna M. Crof widow of William Crof late of Queen Annes County deceased, do hereby agree that the Real Estate in the proceedings in this case mentioned and described shall be sold under the direction of this Court free from the incumbrances of my dower therein, and that in lieu thereof I will accept such proportion of the proceeds of Sale of said real estate as this Court shall judge to be reasonable.

Anna M. Crof.

And on the tenth day of June in the year aforesaid, the following agreement was filed, to wit:

Henry Seeneys & wife

On the Equity Side of the Circuit Court for Queen Annes County

vs
Blaney E. Crof, Ella B. Crof, & Wm S. Crof

It is hereby agreed that a Commission shall issue to Wm. S. Connolly to take testimony in this case
June 9th 1869-

Thos. J. Keating, Sol. for Complainant
Edwin H. Brown, Sol. for deft.

Whereupon a Commission was accordingly issued, in form following to wit:

Queen Annes County, to wit: The State of Maryland - To William S. Connolly, of Queen Annes County, Greeting: Be it known, that you are appointed Commissioner to examine evidences in a cause depending in the Circuit Court for Queen Annes County wherein Henry Seeneys and Anna E. Seeneys his wife, are complainants, and Blaney E. Crof, Ella B. Crof, and William S. Crof, are Respondents. You are therefore hereby required, having just taken the oath hereto annexed, and also administered the annexed Oath to the person whom you shall appoint as clerks to attend the execution of this Commission, that at such time and place as to you shall seem convenient, you cause to come before you all such evidence as shall be named and produced to you by either the Complainants or Respondents, and that you examine them on their Corporal Oaths to be by you administered upon the Holy Evangelij of Almighty God, touching their knowledge or remembrance of any thing that may relate to the Cause aforesaid, and that you cause notice to be given to the parties or their Solicitors of the execution of this Commission before you execute the same, and having reduced the depositions of the witnesses so taken by you

into writing you send the same with this Commission close under your hand and seal to the said Circuit Court with all convenient speed - witness the Honorable John M. Robinson, Chief Judge of the Circuit Courts in the second Judicial Circuit of Maryland the third day of May Eighteen hundred and sixty nine.
Issued the 10th day of June 1869.

James Meeters Clerk

Commissioner's Oath

You William S. Connolly shall according to the best of your Skill and Knowledge, truly faithfully and without partiality to any or either of the parties in this Cause, take the examinations and depositions of all and every the witnesses produced and examined by virtue of the Commission hereto annexed upon the interrogatories now or which may hereafter before the said Commission is closed be produced to and left with you by either of the said parties. So help You God.

Sworn before, A. M. Artlett J.P.

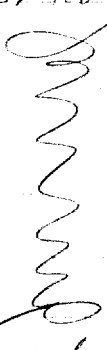
Clerk's Oath

You ... shall truly, faithfully and without partiality to any or either of the parties in this Cause, take, write down and transcribe the depositions of all and every the witnesses produced before and examined by the Commissioners named in the Commission hereto annexed, as far forth as you are directed and employed by the said Commissioners to take, write down and transcribe the said depositions or any of them, So help You God.

Sworn before

And on the seventeenth day of June in the year aforesaid the said William S. Connolly made return to the Court here, of the execution of said Commission as follows, to wit:

Henry Seacey and Anna
E Seacey, his wife
Blaney C. Croft, Ella B
Croft, and William S. Croft



On the equity side
of the Circuit Court
for
Queen Anne's
County

Interrogatories to be proposed to witnesses to be produced on the part of the Complainant -

- 1st. Are you or not acquainted with the parties to this suit, and how long have you known them.
- 2nd. Are you or not acquainted with the real Estate mentioned and described in these proceedings - If yes - what in your Opinion is its marketable value.
- 3rd. Can or not the aforesaid Real Estate be divided among the parties interested therein without loss and injury to them? State the circumstances which control your answer to this interrogatory
- 4th. Will it or not be for the interest and advantage of the parties to this suit to sell the aforesaid real Estate and to divide the proceeds of sale among them in the proportion of their respective interests? Give your reasons for your Opinion on this subject
- 5th. Are or not the defendants in this suit or any of them under the age of twenty one years.

Thos J Keating Sol for Complainant

To the Honorable Judges of the Circuit Court for Queen Anne's County.
 At the Execution of the annexed Commission, issued out of the Circuit Court for Queen Anne's County, and to me directed, empowering me to take evidences in a cause depending in the Circuit Court for Queen Anne's County, wherein Henry Seewy and Anna C. Seewy, his wife are Complainants and Blancy E. Croft, Ella Blorp and William S. Cross are Respondents, I William S. Connolly the Commissioner therein named, having first taken the oath annexed to said Commission, did at Centreville on the eleventh day of June in the year Eighteen hundred and Sixty nine, in the presence of the Solicitors of the Complainants and Respondents, proceed to take the following depositions.

William F. Ford a witness of lawful age, produced and Examined on the part of the Complainants being duly Sworn deposes and says -

To the first Interrogatory,

I am, I have known them a number of years.

To the second Interrogatory,

I am acquainted with the property, I suppose Eight hundred dollars would be as much as it would bring.

To the third Interrogatory,

It cannot, a division into two or more parts would place the dwelling on one, and leave the other lot or lots with so small a front that it would greatly diminish the value thereof and if divided into a front and back lot, the latter would have no outlet

To the fourth,

It would be, I think the interest on the money which it would sell for would exceed the amount received for rent, after deducting taxes and repairs, It is not a desirable property to hold to rent.

To the fifth

They are all under the age of twenty one years. Wm. F. Ford

James B. Palmer, a witness of lawful age produced and Examined on the part of the Complainants, being duly Sworn, deposes and says,

The first Interrogatory not put,

To the second Interrogatory as well as the third, I adopt the answer of W. F. Ford.

To the fourth,

I adopt the answer of W. F. Ford, with the additional reason that the property is at present in a very dilapidated condition

The fifth interrogatory not put.

James B. Palmer
 Joseph V. Conrsey, a witness of lawful age produced and Examined on the part of the Complainants being duly Sworn, deposes and says,

To the first Interrogatory,

I am acquainted with the Complainants, but not with the defendants I have known the Complainants for about ten years.

To the second interrogatory

I am. Its marketable value is about eight hundred dollars.
 To the third Interrogatory,
 It cannot, for the reasons given by Mr. Ford, in his answer to this
 Interrogatory,
 To the fourth Interrogatory,
 It would be, for the reason that the interest on the proceeds of its
 Sale would exceed the amount received for rent after deducting taxes
 and repairs, it is not a desirable property to hold for rent. It is
 at present in a very dilapidated condition.

The fifth Interrogatory not put.

Jos. V. Conway

James H. Costin, a witness of lawful age, produced and Examined
 on the part of the Complainants being duly sworn, deposes and says,

To the first Interrogatory,
 I am, I have known them several years.

To the second Interrogatory
 I do know the property. I do not think it worth over six
 hundred dollars.

To the third Interrogatory
 It cannot be, if divided into two or more parts, with the
 dwelling in its present position would make some of the lots so
 small in front that the value would be diminished, and if a
 back lot was made it could have no outlet without injury
 to the front lot or lots.

To the fourth Interrogatory,
 It will be, The building is in dreadful condition, it would
 cost four or five hundred dollars to put it in good repair,
 in its present condition the amount received for rent after
 deducting taxes and actual necessary repairs would be
 less than the interest on the money that it would sell for.

To the fifth Interrogatory,
 They are all under twenty one years of age.

James H. Costin,

There being no other witnesses to be Examined and neither
 party desiring further time for the production of evidence
 the Commissioner closed the said Commission and herewith
 returns the same under his hand and seal this 12th day of June A.D. 1889.

William S. Connolly
 Commissioner

Costs
 Commissioner's oath \$4.00
 Witnesses 3.00
 \$7.00

And on the day and in the year aforesaid, the Court here pass
 the following Decree, to wit:

Henry Seney and
Anna E. Seney, his wife

vs
Honey E. Croft, Ella J.
Croft and William S. Croft

In the Circuit Court

for Queen Anne's County

in Equity

This Cause standing ready for hearing and being submitted without argument, the proceedings were read and considered — It is thereupon, this fifteenth day of June in the year One thousand Eight hundred and sixty nine by the Authority of this Court, adjudged, Ordered and decreed that the real estate in the proceedings mentioned be — That Thomas J. Keating of Queen Anne's County be and he is hereby appointed Trustee, to make such Sale; and that the Course and manner of his proceedings shall be as follows; He shall first file in the Office of the Clerk of the Circuit Court for Queen Anne's County a bond to the State of Maryland executed by himself with a surety or sureties to be approved by the said Clerk in the penalty of sixteen hundred dollars conditioned for the faithful performance of the trust reposed in him by this decree, or which may be reposed in him by any future order or decree in the premises. He shall then proceed to make sale of the said Real estate having first given at least three weeks previous notice, inserted in some newspaper printed in Centreville, and such other notice as he may think proper, of the time, place, manner and terms of sale, which terms shall be as follows; One hundred and fifty dollars of the purchase money each to be paid in equal instalments in nine and eighteen months from the day of sale, the credit payment to bear interest from the day of sale and to be secured by the bond of the purchaser with a surety or sureties to be approved by the Trustee, and as soon as may be convenient after such sale the said Trustee shall return to this Court a full and particular account of the same, with and affidavit of the truth thereof, and of the fairness of such sale annexed, and on the ratification of such sale by this Court, and on the payment of the whole purchase money (and not before) the said Trustee by a good and sufficient deed to be executed and acknowledged agreeably to law shall convey to the purchaser or purchasers of said real estate, and to his her or their heirs, the Real Estate to him, her or them sold free clear and discharged of all claim of the parties to this Cause, and of any person or persons claiming by, from or under them. And the Trustee shall bring into this Court the money arising on such sale and the bonds or notes which may be taken for the same, to be disposed of under the direction of this Court, after deducting therefrom 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.

J. A. Wickes

And on the thirtieth day of July in the year aforesaid, the said Thomas J. Keating, the Trustee named in said decree, files in Court here, the following Bond with the endorsement thereon, to wit:
Know all men by these presents, that we Thomas J. Keating and William S. Parrott of Queen Anne's County, in the State of Maryland are held and firmly bound unto the State of Mary-

land in the full and just sum of sixteen hundred dollars, Current money, to be paid to the said State of Maryland, or its certain attorney; to which payment well and truly to be made and done, we bind Ourselves and each of us, our and each of our heirs, Executors, and administrators, jointly and severally firmly by these presents, sealed with our seals, and dated this thirteenth day of July in the year eighteen hundred and sixty nine. Whereas by a decree of the Circuit Court Court for Queen Annes County in Equity, bearing date on the fifteenth day of June eighteen hundred and sixty nine, and passed in a cause in the said Court, wherein Henry Seney and Anna E. Seney are Complainants and Maney C. Crof, Ella B. Crof and William S. Crof are defendants, the above bound Thomas D. Keating has been appointed trustee to make sale of certain real estate in the proceedings in said Cause mentioned.

Now therefore the condition of the above obligation is such, that if the above bound Thomas D. Keating do and shall, well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises then the above obligation to be void, otherwise to remain in full force and virtue in law.

Signed sealed and delivered in the presence of

Thos. D. Keating
H. F. Parrott

B. Palmer Keating

Security approved, and Bond filed the 13th day of July 1869, James Meates, Clerk.

And thereupon further process of and upon the premises aforesaid, was by regular continuances, continued from term to term of the said Court, until the first Monday of November in the year eighteen hundred and twenty; on which said first Monday of November in the year last aforesaid, comes into Court here, the parties aforesaid, by their Solicitors aforesaid, and on the eighth day of December in the year last aforesaid, the said Thomas D. Keating, the Trustee made the following report of sale, to wit:

Henry Seney & wife
Maney C. Crof, Ella B. Crof, and William S. Crof

In the Circuit Court for Queen Annes County in equity

To the Honorable, the Judges of the Circuit Court for Queen Annes County in equity - The report of Thomas D. Keating, Trustee appointed by the decree, in this cause to make sale of certain real estate therein mentioned, shows that after giving notice of the time, place, manner and terms of sale by advertisement in the "Observer" a newspaper printed at Centreville for more than three successive weeks before the day of sale, and by hand bills extensively circulated throughout Queen Annes County, he did, pursuant to said notice attend in front of the Court house in Centreville on Tuesday the twentieth day of July eighteen hundred and sixty nine at three O'clock P.M. and there and there offered at public sale to the highest bidder the said real estate consisting of the lot of ground and improvements known as "the Crof Property" situated in the town of Centreville in Queen Annes County on Liberty Street

Opposite the Academy lot, adjoining the property of Annie E. Palmer and occupied by Henry P. Banks and fronting forty four feet and running back three hundred and thirty four feet and sold the same to William J. Hand, he being then and there the highest bidder therefor at and for the sum of five hundred dollars; and he has since received of the said William J. Hand one hundred dollars cash and taken the bond of the said William J. Hand with John J. Hand, J. A. Richardson & H. S. McClyment as his Sureties for the balance of said purchase money, three hundred and fifty dollars payable with interest from the day of sale in nine and eighteen months from the day of sale.

Which is respectfully submitted.

Thos. Keating, Trustee

And on the same day and in the year last aforesaid, the following order was passed, to wit: In the Circuit Court for Queen Anne's County in Equity December 8, 1870.

Henry Seney & wife vs Blaney E. Crof, Ella B. Crof, & William S. Crof.

Ordered that the sale made and reported by Thomas Keating, Trustee for the sale of the real estate decreed to be sold in this case, be ratified and confirmed unless cause to the contrary thereof be shown, on or before the twenty third day of January next; provided a copy of this order be inserted in some newspaper printed at Centreville once in each of three successive weeks before the fourteenth day of January next.

The report states the amount of Sales to be \$500.00

James Meates, Clerk

And on the twenty first day of January, in the year eighteen hundred and seventy one, the following Certificate was filed, to wit: In the Circuit Court for Queen Anne's County in Equity December 8, 1870.

Henry Seney and wife vs Blaney E. Crof, Ella B. Crof and William S. Crof.

Ordered, that the sale made and reported by Thomas Keating, Trustee for the sale of the real estate decreed to be sold in this case, be ratified and confirmed, unless cause to the contrary thereof be shown, on or before the twenty third day of January next; provided, a copy of this order be inserted in some newspaper printed at Centreville, once in each of three successive weeks before the fourteenth day of January next.

The report states the amount of Sales to be \$300.00

James Meates, Clerk

True Copy

Test: James Meates, Clerk

I hereby Certify that the annexed notice was published in the "Centreville Observer", a newspaper printed at Centreville, once in each of three successive weeks before the fourteenth day of January 1871.

W. H. Trustees

And on the twenty seventh day of January in the year eighteen hundred and seventy one, Madison Brown, Auditor, files

The Balance is distributed between the parties as follows
 viz — To Anna E Seeny wife of Henry Seeny Jr of \$382.35 = \$191.17½
 To Annie M. Sherwood formerly Crop widow of W Hemp 191.17½ 27.31
 To Blaney & Crop heir & child of W. Hemp 1/3 of 54.62
 To Ella B. Crop " " " " 54.62
 To William S. Crop " " " " 54.62
 \$382.35

1879 July 20 By Grof proceeds of Sale of this date per Report \$500.00
 By Balance for distribution \$382.35
 Wm Brown Auditor June 27th. 1871.

We hereby consent to the ratification of the foregoing
 Audit — Feb 2^d 1871. Thos J. Keating Sol^r & Compt
 Edwin H Brown Sol^r for Deft

And on the second day of February in the year last aforesaid,
 the Court here, pass the following Order to wit:
 Henry Seeny wife In the Circuit
 vs Court for Queen
 Blaney E. Crop; Ella B Annes County
 Crop & William S. Crop - in Equity

Ordered this second day of February
 eighteen hundred and seventy one, that the Sale reported in this
 case be and the same is hereby ratified and confirmed, no cause
 to the contrary thereof having shown although notice appears
 to have been given as directed by the preceding order.
 The trustee is allowed the usual commissions and expenses not
 personal. Jos A Wickes

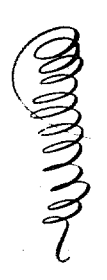
And on the twelfth day of May in the year last aforesaid, the Court
 here, pass an order ratifying the Auditors report heretofore filed in this
 cause, in the following words, to wit:

Ordered this 12th day of May eight-
 teen hundred and seventy one that the foregoing Auditors report be
 and the same is hereby ratified and confirmed, and the Trustee
 is directed to pay over the proceeds of Sale in accordance therewith
 with a due proportion of interest received by him to each distributee
 Jos. A Wickes
 Frederick's Stamp

Benjamin A. Massey vs Joshua Massey and others
 Be it remembered, that on the
 eleventh day of September in the
 year eighteen hundred and sixty
 seven Benjamin A. Massey by John
 B. Brown, Esquire, his Solicitor, filed in the Circuit Court for Queen
 Annes County, sitting as a Court of Equity, his Bill of Complaint
 against Joshua A. Massey, Sarah Dobb, Louisa Dobb, Thomas
 E. Massey, William Dobb, Alexander F. Dobb, Le W. Allen, and
 Marietta Allen, his wife, Charles T Dobb, Thomas S. H. Massey and
 Emily Ann Massey, in the words following, to wit:
 In the Circuit Court for Queen Annes County, in Equity.
 To the Honorable John M. Robinson, Judge of the Circuit
 Court for Queen Annes County, in Equity.

~~The Bill of Complaint of Benjamin A. Mapey of the State of Tennessee to your Honor. humbly sheweth, that your Orator and Joshua A. Mapey, Sarah Dobb and Louisa Dobb of the State of Alabama, Alexander G. Dobb of the State of Texas, Marietta Allen wife of C. H. Allen of the State of Louisiana, Charles J. Dobb of the State of Tennessee, William Dobb and Thomas Edwin Mapey of the State of Ohio, and Thomas J. H. Mapey of the State of Virginia, are seized as tenants in common in fee of a tract or parcel of land situate in Queen Annes County State of Maryland Called "Harris's Rables" sometimes known as the walker purchase formerly belonging to Joshua A. Mapey, deceased, and containing three hundred Acres of land more or less - an undivided sixth part thereof belonging to your Orator an undivided sixth part thereof belonging to the said Joshua A. Mapey an undivided sixth part thereof bel~~

Mary Rebecca Holden
vs
Jane Holden & others



Circuit Court for Queen Annes County in Equity

And afterwards to wit on the first day of June in the Year Eighteen hundred and Seventy one, a petition and order of Court thereon were filed in Court here, in the words following, to wit;

Holdings vs Circuit Court for Queen Annes County In Chancery -

To the Honorable Judges of the Circuit Court for Queen Annes County.
The Petition of Joseph Lattin admr. of S. J. Reeves to your Honors respectfully shews, that the Real Estate in the proceedings in this cause were sold by P. B. Hopper Trustee appointed by this Court and your Petitioner intestate became the purchaser thereof and paid to the said Trustee a considerable part of the purchase money and departed this life without having completed said payments, that subsequently the said Trustee re-sold the said land under an order of this Court at the risk of the said A. J. Reeves or his representatives at which last sale a certain John Solloway became the purchaser for a sum somewhat below the original sale whereby the representatives of the said A. J. Reeves became entitled to the amount which he had paid the said Trustee after deducting therefrom the costs of the further proceedings in the cause and the difference between the first and the last sale, which said amount the Court directed to be paid by the said Trustee to the representatives of the said A. J. Reeves and that your Petitioner as admr. of said A. J. Reeves became entitled to said payment but your Petitioner states that the said P. B. Hopper Trustee has departed this life without having made such payment and without having collected from the second purchaser the whole amount of the purchase money to which he is entitled to look for payment, provided there be sufficient for that purpose - Your Petitioner therefore prays your Honors to pass an order appointing John B. Brown Trustee in the place of P. B. Hopper deceased to complete the trust remaining unperformed by him and to pay to your Petitioner such sum as he maybe entitled to receive as admr. of said A. J. Reeves and he also herein files as part of this Petition a copy of his letter of administration marked Exhibit A and for such other and further relief as maybe necessary

Your Petitioner will ever pray &c.

My J. D. Brown, Solicitor
for Petitioner

State of Maryland, Queen Annes County Sec, I hereby certify that on this 30th day of March 1871 before the Subscriber a Justice of the Peace of the State of Maryland in and for Queen Annes County personally appeared Joseph Callin & made Oath on the Holy Evangelys that the several matters & things stated in the foregoing Petition are true to the best of his knowledge and belief.

Sworn before Jos. Sweet J.P.
In the Circuit Court for
Queen Annes County
In Chancery

Ordered this 19th day of April 1871 on the foregoing Petition of Joseph Callin admr. of H. J. Laves dec'd that John B. Brown of Queen Annes County be and he is hereby appointed Trustee in this Cause in the stead of P. B. Hopper dec'd late Trustee with full power and Authority to complete said Trust in all respects by the Collection of the Unpaid Purchase money and otherwise, and to report to this Court from time to time as occasion may require, and before proceeding to enter upon the duties of said Trustee, he first file with the Clerk of this Court a Bond to the State of Maryland executed by himself and a surety or sureties to be approved according to law in the penalty of ten thousand dollars conditioned to perform all the duties required of the former Trustee or for as the same may not have been performed by him and to discharge all other duties that may be imposed in him by any future order or Decree in the premises,

Jos. A. McKes

And on the third day of October in the Year last aforesaid, the said John B. Brown Trustee named in said order, files in Court here, the Bond with the endorsement thereon, to wit;

Know all men by these presents, that we John B. Brown and Mordecai Price of Queen Annes County in the State of Maryland, are held and firmly bound unto the State of Maryland in the full and just sum of four thousand dollars current money, to be paid to the said State of Maryland or to its certain attorney; to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs executors and administrators, jointly and severally, firmly by these presents, sealed with our seals and dated this third day of October Eighteen hundred and seventy one - Whereas by an order of the Circuit Court for Queen Annes County dated April 19th 1871 and passed in a Cause in the said Court wherein Mary R. Holden is Complainant and Jane Holding and others are Defendants the above bound John B. Brown has been appointed Trustee in the place of P. B. Hopper dec'd former Trustee to complete the trust mentioned in the Decree hereinbefore passed in said Cause so far as the same has not been performed by the late Trustee - Now the condition of the above obligation is such that if the above bound John B. Brown do and shall well and faithfully performed the duties enjoined in the former Decree passed in this Cause in so far as the same have not been performed by the late Trustee and also to perform all other orders and decrees that may be passed in said Cause then the above obligation to be void, otherwise to remain in full force and virtue in law.

Signed sealed and delivered

3
3
3

John B. Brown Seal
Mordecai Price Seal

in the presence of
E. H. Brown

Security approved and bond filed the 3rd day of October 1871.

James Woaters - Clerk
Circuit Court for Queen Anne's County

And Afterwards, to wit; on the twenty second day of January in the year Eighteen hundred and seventy five, the said John B. Brown, Trustee as aforesaid, files in Court here, the following Report, to wit;

Holding
vs
Holding

In the Circuit Court for Queen Anne's County in Equity

To the Honorable Judges of the Circuit Court for Queen Anne's County in Equity. - The Report of John B. Brown, Trustee appointed by this Court by its order passed in this cause on the nineteenth day of April 1871 to complete the trust begun by the late P. B. Hopper, to Your Honors respectfully shows that in the first place he executed his bond to the State of Maryland and in penalty and with security as required by the order appointing him conditioned for the faithful discharge of the duties of his trust which said bond having been approved agreeably to law is now on file among the proceedings in the cause - He then upon examination and investigation found that the late P. B. Hopper had collected and received all the purchase money due on the bond of John P. Solloway, the purchaser of the property reported sold at the second or re-sale thereof, excepting the sum of \$697.92 and interest thereon from the 25th day of October 1870, the date of the last payment made by the said John P. Solloway to the said P. B. Hopper dec^d. Your Trustee sets forth that he has forced to put the bond of the said John P. Solloway in suit and realized therefrom in principal and interest the sum of \$798.67 less 5/10 comm^o paid attorney 39.13 making the sum of \$754.74 subject to the order or disposition of the Court. Your Trustee submits the following Statement of account between Your Trustee and the late P. B. Hopper former Trustee. Collected as per his Report filed in the cause of J. A. Reever \$150.00 vs 700.00 = Total \$850.00 - Collected by P. B. Hopper as per Report of 2^d sale in Cash of J. P. Solloway \$150.00. Collected on the Bond of J. P. Solloway as per receipts exhibited to me March 16th 1869 \$460.00 - June 24th 1869 \$300.00 - August 17th 1869 \$120.00 - August 24th 1869 \$184.74 - October 25th 1870 \$300.00 = \$1514.74 = \$2364.74 - The amount disbursed by the Audit which the late P. B. Hopper received to be made \$2148.50 making in hands of P. B. Hopper \$216.24 at the time of his death over and above the whole amount of received on the purchase of J. P. Solloway can be easily ascertained by the Auditor and ascertained between Your Present Trustee and the late P. B. Hopper on allowances contained in Audit - All which is respectfully submitted

John B. Brown, Trustee

State of Maryland Queen Anne's County, to wit; I hereby certify that on the 22nd January 1875 personally appeared before me, the subscriber, a Justice of the Peace of State in and for the County aforesaid John B. Brown Trustee and made Affidavit that the matters and things stated in the foregoing Report are true to the best of his knowledge and belief

Ezekiel J. M. Forman J.P.

And on the day and year last aforesaid, Edwin H. Brown, Auditor files in Court here, the following "Statement A" and Auditor's Report and account to wit;

"Statement of"

Sept 1 1866	To amount of Sales to J. A. Reeves per Report	\$ 2130.00
" "	By Cash Payment	150.00
		<hr/>
" "	interest from Sept 1 1866 to Dec 1 1866	29.70
1866 Dec 1	By amount reported paid	2009.70
" "	interest from Dec 1 1866 to July 15 1868	1309.70
1868 July 15	To balance on purchase money due by Reeves	1438.05
		<hr/>

To the Honorable the Judges of the Circuit Court for Queen Annes County in Equity
 Your Auditor respectfully sets forth, that he has stated the two within accounts
 The account Entitled the "Re-sale Statement" Shows the expenses incurred by
 the re-sale made necessary by the failure of J. A. Reeves to comply with his pur-
 chase, and ascertains the amount due to J. Cattan, administrator of
 said J. A. Reeves now deceased on account of moneys paid by him on said
 purchase. (the second or Re-sale being more than ample to pay all the costs
 of re-sale and the balance of the purchase money on sale made to said Reeves),
 to be \$424.53 with its proportion of interest. The account entitled the
 "Interest Account" ascertains the amount of interest received on both sales
 from the Report of J. B. Brown, Trustee, and the other proceedings in the cause
 and after allowing Your Auditor his fee apportioned between the Items
 contained in the Audit and the within "Re-sale Statement" as per within
 "Interest Account" the residue of the interest, the distribution to Items
 therein referred to being at the rate 14.9 per centum.

Respectfully Submitted
 Edwin H. Brown,
 Auditor

"Re-sale Statement"

1868 July 15	J. A. Reeves in account - To balance due on original purchase money as per Statement filed marked A.		\$ 1438.05
	To P. B. Hopper late Trustee Comm. on re-sale 1/2	12.06	
	" J. B. Brown present "	12.06	
	" P. B. Hopper for Costs on re-sale per Audit	18.50	
	" J. B. Brown present Trustee for Court Costs viz: James Masters, Clerk W. J. Brown, Solicitor	4.30	
	" E. H. Brown, Auditor for this account	20.00	168.92
			<hr/>
1868 July 15	By amount of Re-sale per Report		\$ 2031.00
	" Balance due J. Cattan admr. of J. A. Reeves		424.53
			<hr/>

Edwin H. Brown
 Auditor

"Interest Account"

1866 Sept 1	To Amount of interest collected of J. A. Reeves in the Payments made by him per Report of J. B. Brown, Trustee	\$ 155.05
	To Amount of interest collected of J. P. Solloway in the Payments made by him in full of Re-sale less Attorney's Commissions per the Aforesaid Report	233.48
		<hr/>
	By E. H. Brown Auditor, fee	4.50
	" Amount of interest for distribution to the Commission, Claim, and the respective interest of widow and	
		<hr/>

Children in Credit

Amount of interest for distribution to the
Commissions, and balance due J. W. Allen admr. in "Refale Statement"

	\$ 385.13
	\$1.90
	<u>\$ 391.53</u>

Edwin H. Brown
Auditor

And on the fifth day of February in the Year last aforesaid, the Court
here pass the following order, to wit;

Ordered, on this 5th day of February 1875, by the Circuit Court for Queen Anne's County
in Equity, that the above and a foregoing Report of the Auditor and "Refale
Statement" and "Interest Account", be and the same are hereby finally ratified
and confirmed and the Trustee is directed to apply Proceeds of Re-sale and
interest accordingly -

Jos: A. Wickes

Ashcom Carrie W.	Decree and sale of her land		242
Bryan Sarah & next friend against Fannie Bryan and others.	Decree and sale of land	pm	24
Bryan Fannie.	Decree and sale of her land		24
Bonville Ann next friend against Eugene Bonville and others.	Decree and sale of land	pm	126
Bonville Eugene, Anna Bonville and Mary Bonville.	Decree and sale of their land	pm	126
Bullen Jacob against James Solloway.	Sale of land under judgment of Justice of the Peace	pm	147
Bennett George W next friend against Andrew Anna Bennetts and others.	Decree and sale of land	pm	160
Bennett Andrew Anna, Ann Emma Bennetts and Frances Ann Bennetts.	Decree and sale of their land	pm	160
Chaires Nathaniel against John Chaires' heirs.	Decree and sale of land		112
Chaires John.	Decree and sale of his land		112
Cook Susan against Carrie W. Ashcom.	Decree and sale of land		242
Chambers Thomas J.	Judgment and sale of his land		264
Connolly Susan against John D. Connolly's heirs.	Decree and sale of land		284
Connolly John D.	Decree and sale of his land		284
Callahan William C against William W. Harrison.	Decree and sale of land		358
Carroll David against Robert Wright.	Sale of land under mortgage		358
Croft William B.	Decree and sale of his land		388
D. Coursey Samuel.	Decree and sale of his land		24
Darmon William against Isaac L. Thompson's heirs.	Decree and sale of land	pm	216
Darmon William.	Decree and sale of his land		216
Faithful William E. B.	Decree and sale of his land		338