

Thereupon the following agreement was filed Nov 14 1853.

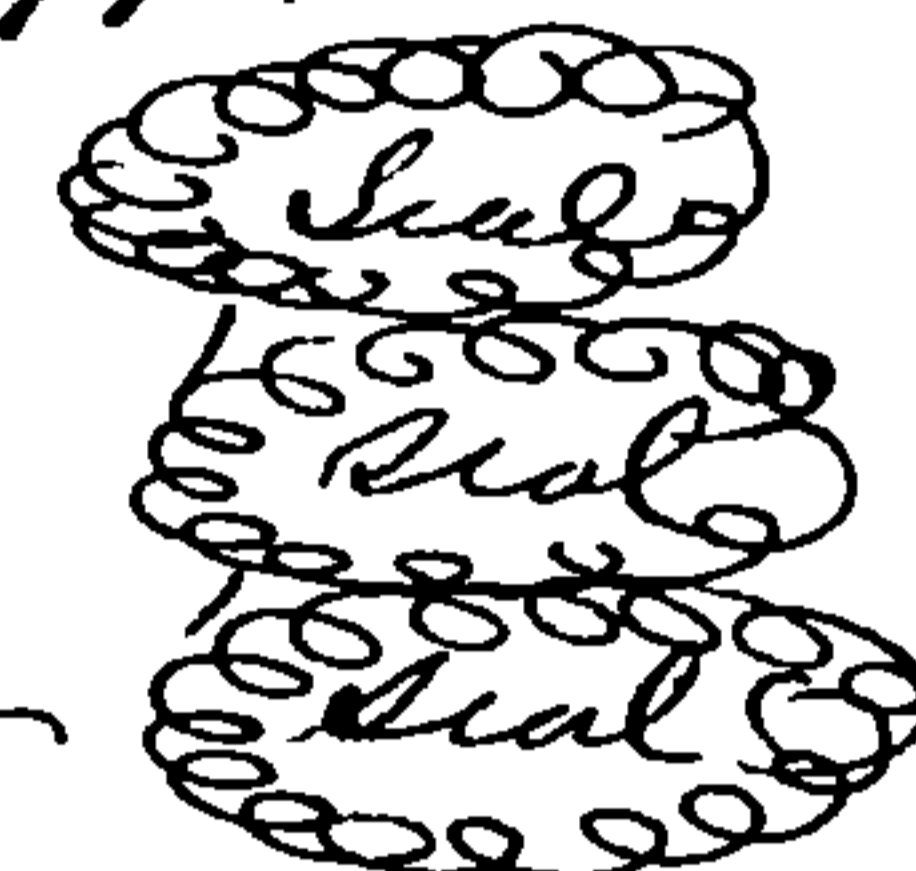
Whereas it has been agreed by and between the undersigned Lydia Ann Elder widow of Thomas Elder late of Frederick County dec'd and Thomas Elder and Ellen Geratin heirs at law of said Thomas Elder - That the said Lydia shall renounce her dower in the Real Estate of said dec'd; and in Consideration thereof that she shall be entitled to & have the one third of the nett proceeds of the sale of said Real Estate, after the payment of the debts of said deceased for the payment whereof a Decree has been passed, for the sale of said Real Estate by the Circuit Court for Frederick County, sitting in Equity Now therefore this agreement witnesses. That the said Lydia Ann Elder does hereby renounce her dower Interest, in said Real Estate, and authorizes the Trustee in N<sup>o</sup> 2546 Equity in the Circuit Court for Frederick County to sell said Real Estate free from her claim of dower therein, and in Consideration thereof the said Thomas Elder and Ellen Geratin hereby agree that there shall be allowed to the said Lydia Ann Elder the full third part of the proceeds of sale of said Real Estate after the payment of the debts of said Thomas Elder dec'd In Witness whereof the said parties have hereunto subscribed their names, and affixed their seals, on this 12<sup>th</sup> day of November 1853

Witness J<sup>o</sup> J. Seivers

Th<sup>o</sup>. G. Elder

Eleanor Geratin

Lydia Elder



The following Report of Sales was filed Dec 30 1853

To the Hon<sup>ble</sup> Mason Nelson Judge of the Circuit Court, for Frederick County sitting in Equity The Report of John Witherow, heretofore appointed Trustee, to make sale of the Real Estate of Thomas Elder dec'd by a Decree passed by your Honor, in the Cause N<sup>o</sup> 2546 on the Docket of your Honorable Court Respectfully shews that after giving more than three weeks notice of the time place manner and Terms of sale in a Newspaper printed in Frederick County, as well appear from a Copy of the advertisement with the Certificate annexed, herewith filed marked Exhibit A and also by Handbills extensively circulated, in Frederick County, he did in pursuance of said Decree and Notice, attend on the premises in the said proceedings mentioned on Saturday the 17<sup>th</sup> day of December 1853 at the hour named in said advertisement and there and there proceeded to offer at public sale, the Real Estate of which said Thomas Elder dec'd seized being a parcel of Land lying in said County containing sixty five acres, more or less being part of that mentioned in the Exhibit N<sup>o</sup> 5 filed with the Bill of Complaint in said Cause the balance of the said mentioned in said Exhibit having been sold by said Thomas Elder in his life time, when Michael Brouse, became the highest bidder and purchaser thereof, at and for the sum of Two thousand four hundred twenty five dollars & he further Reports that he has taken the memorandum, in writing of said purchaser signed by him whereby he agrees, and binds himself to comply with the Terms of said sale by paying one third of the purchase money in Cash & by giving his notes with approved security, for the Balance thereof payable in Equal portions in one & two years from said day of sale with Interest thereon, according to said Decree as soon as said sale shall be ratified, by your Honor

John Witherow (Trustee)

State of Maryland Frederick County to wit On this 27<sup>th</sup> day of December 1853 before the subscriber a Justice of the peace of said State, in and for said County, personally appeared John Witherow and made Oath on the Holy Evangelly of almighty God That the matters facts and things, in the foregoing Report contained are true as stated and that the said sale was fairly & Bonafide made

Sworn Before

M. Baltzell