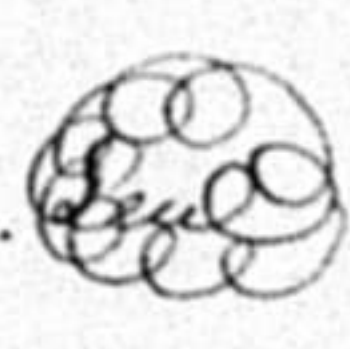
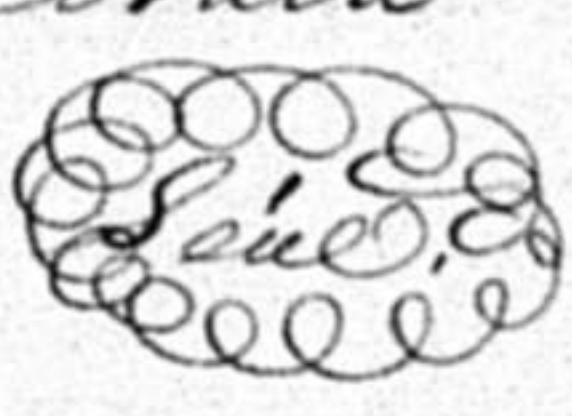


being duly sworn, and examined to Interrogatories filed with me, by the Complainants & herewith returned, deposes & says to the 1<sup>st</sup> Interrogatory. - That he knows all the parties to this suit, except Jacob Mullenore, George Whip, Jacob Whip, George Coleman, Joseph Coleman, William Easton & wife Malinda, John, Jacob & Daniel Mullenore. - Children of Jacob Mullenore. 2<sup>d</sup> That those he knows are all adults, 3<sup>d</sup> That he has known them all for at least ten years except James C. Carper, whom he has known for 2 or 3 years. 4<sup>th</sup> That he knows the property described in the Bill of Complaint. 5<sup>th</sup> That it would be better for all the parties interested that the property should be sold, and the proceeds divided amongst the heirs, for the reasons that the property as it is yielding no increase to any one. That there is a great deal of bark timber which would be valuable if cut down, as well as chestnut timber &c. 6<sup>th</sup> That he knows nothing more of interest to the parties. There being no other witnesses to be examined, and neither party desiring further time for the production of his evidences, the Commission closed the said Commission, and herewith returns the same, together with the Exhibits filed with him, marked respectively A & B, under his hand & seal this day of

Judk. J. Nelson. Com. 

Endorsed "The execution of the within Commission well appear by reference to certain papers herewith returned"

Judk. J. Nelson. Com. 

Thereupon the following Decree was passed.

Margaret Brier & others } 1:2563 Equity. In the Circuit Court for Frederick County, sitting as a  
" } Court of Equity, February Term 1855. This cause standing ready for  
John Mullenore & others } hearing, and being submitted without arguments the proceedings were read, and considered, and the order of publication heretofore passed in this cause, having been duly published, against the Non resident defendants, Emanuel Whip, Jacob Whip, George Coleman, & Joseph Coleman, and the said defendants, except George Coleman having failed to appear & answer the bill of Complaint in this. It is thereupon this 20<sup>th</sup> day of March, in the year Eighteen Hundred and fifty five, by W. Nelson Judge of the said Court, and by the authority of this Court, adjudged, ordered, and decreed - That the said Bill of Complaint be and the same is hereby taken pro Confesso, against the said defendants.

And it is further adjudged, ordered, and decreed - That the property in the proceedings mentioned be sold. And it is further adjudged, ordered, and decreed - That John A. Lynch of Frederick County be, and he is hereby appointed Trustee to make such sale, and that the course & manner of his proceedings shall be as follows. He shall first file in the Office of said Court - a Bond to the State of Maryland, executed by himself, with a surety, or sureties to be approved by the said Court, 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 Decree or order 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 Frederick City, 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 third in Cash, on the day of sale, or on the ratification thereof by the Court, one third in six months, and the other third in Twelve months, 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 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 & sufficient deed to be executed and acknowledged - agreeably to Law, shall convey to the purchaser, or purchasers