

he sell, & dispose of the Real Estate of which the said Middleton Smith died seized, and the owner which remains unsold by him as executor aforesaid or so much thereof as shall be sufficient to pay the said Complainant said sum of two hundred Dollars, and Interest thereon as aforesaid from the 16th day of February 1837, and all the costs of this suit, to be taxed by the Clerk, and all costs, and charges, and expenses, of making said sale after he the said Joseph Smith shall have first given three weeks public notice in some newspaper, printed in Frederick City of the time and place, and Terms of sale which Terms shall be as follows, One half of the purchase shall be paid to the said Joseph Smith, on the day of sale, and the other half in one year from the day of sale, which last payment thereof, to be secured by Bond of the purchaser, with goods & approved security to be approved by the said Joseph Smith, and as soon as may be convenient after any such sale or sales, the said Joseph Smith shall return to this Court a full and particular account of the same, with an affidavit of the truth thereof, and after the ratification of said sale, or sales, and on the payment of the purchase money & not before, the said Joseph Smith shall by a good, and sufficient deed to be executed and acknowledged by agreeable to law, convey to the purchaser or purchasers said property, and to his heirs, or their heirs, 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 it is further ordered that the said Joseph Smith 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 & such Commission to the said Joseph Smith as the Court may think proper to allow to him, in consideration of the skill, attention & fidelity he may appear to have discharged the trust reposed in him.

Rt. Marshall.

To the Honorable, the Judges of Frederick County Court sitting as a Court of Equity. The Report of Joseph Smith, executor of Middleton Smith, late of Frederick County dec^d in pursuance of a Decree of your Honorable Court, in a suit, in the said Court, then depending wherein George Hartman, executor of Middleton Smith was Complainant, and said Joseph Smith was defendant, by reason to report that he did by advertisements published in the Republican Citizen - a paper printed in Frederick - Town, and continued for three weeks before the 15th day of November 1845, give public notice of the time, place, and Terms of sale by said Decree directed & required, one of which said advertisements, with a certificate of the publication thereof is herewith exhibited - That on the fifteenth day of November 1845, appointed as the day of sale of the Real Estate in the proceedings mentioned, and upon the Terms by the said Decree required he did set up and expose to public sale, at the place in the said advertisement mentioned the said Real Estate, by the said Decree directed to be sold & at which sale, the said Real Estate - being the Real Estate on which the said Middleton Smith resides at the time of his death, & being the whole of his said Real Estate, and containing one hundred acres of land more or less, was struck off to John Smith of Middletown of Frederick