

as defendants, & William S. Nelson Commissioner thereof named, did, on the 30th day of June Eighteen hundred and sixty four, at the Office of the Judge of the Circuit Court for Frederick County, in Frederick City Maryland, proceed to take the following depositions, to wit:

Daniel Warrenfeltz, a witness of lawful age, produced on the part of the Complainants, being duly sworn and examined to interrogatories filed with the Commissioners by the Complainants and herewith returned, deposes and says: ~

To the first. That he has known all the parties to this suit for many years. ~

To the 2<sup>d</sup>. That he knew Mary W. Sausenbaugh she died in November, Eighteen hundred and sixty two. ~

To the 3<sup>d</sup>. That she died in District District Frederick County, Maryland. that the property is now occupied by Joseph Sausenbaugh. ~ To the 4<sup>th</sup>. That she died intestate. ~

To the 5<sup>th</sup>. That she left as heirs, Jacob Sausenbaugh, Catharine, married to Christian Smith, John Sausenbaugh, since dead, and Joseph Sausenbaugh - that John Sausenbaugh left the following children, namely, Elizabeth, Simon Peter, George A. Melissa, married to Henry Jones, Barbara E. John Wesley, Anne E. Savilla, James Calvin, Catharine and Benjamin S. Sausenbaugh - that Anne E. Savilla, James C. Catharine and Benjamin S. Sausenbaugh are infants under the age of twenty one years - the others are adults above the age of twenty one years. ~

To the 6<sup>th</sup>. That the property in the proceedings mentioned is not susceptible of an advantageous division - that it would be to the interest of all parties that said property should be sold and the proceeds distributed amongst the parties in interest. ~

There being no other witnesses present to be examined, and no further time being desired or required for the production of evidence the Commissioner closed the said Commission and herewith returns the same under his hand and seal, this 30<sup>th</sup> day of June in the year 1864. ~

Wm S. Nelson Comr

Endorsed: The Execution of the within Commission will appear by certain Schedules therunto annexed. ~

Wm S. Nelson Comr

Secured Jacob Sausenbaugh Etal  
Ann Eve Sausenbaugh Etal

No 3127 Equity, ~  
In the Circuit Court for Frederick County.

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

It is thereupon this 15<sup>th</sup> day of August in the year 1864 by Madison Nelson Judge and by the authority of this Court assigned ordered and decreed that the real estate in the proceedings mentioned be sold, that Daniel Warrenfeltz of the County of Frederick 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 Frederick County a bond to the State of Maryland, executed by himself, with a surety or sureties to be approved by the Court or the Clerk thereof, 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 real estate, having first given at least three weeks previous notice, inserted in some newspaper published in Frederick 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 third of the purchase money to be paid in Cash on the day of sale or on the ratification =