

stated in the foregoing report of sale are true to the best of their knowledge & belief & that the sale
therein reported was fairly made.

James M. Simmons Sr.

Trustee's Sale

By virtue of a decree of the Circuit Court for Frederick County sitting as a Court of Equity the
undersigned as Trustee will offer at public sale, on the premises, situate about two miles south, West
of Hyattstown, on the road leading from Urbana to Jamesville adjoining the lands of Isaac Davis
and others, on Saturday the 21st of October 1865, at ten o'clock A.M. the following real estate late of
James I. Benton dec^d all those parts of tracts of land called "Redmount" & part of the
Resurvey on Williams Chances; containing 157 acres of land more or less - This land is situate partly
in Frederick & partly in Montgomery Counties, State of Maryland, adjoining the lands of Isaac Davis
and others, about one mile from the Mountain Church. The improvements consist of a story & a half
log dwelling house frame saw, and other necessary out buildings. There is also a very fine col-
lection of choice fruit trees. The property is well watered, there being running water in every
field. Terms of sale as prescribed by the decree one third of the purchase money to be paid
in cash on the day of sale, or on the ratification thereof by the Court at the election of the pur-
chaser the residue in one & two years from day of sale, the purchaser or purchasers giving his her
or their notes for the same with approved security, bearing interest from the day of sale.

James M. Simmons Trust.

Elizabeth A. Benton Trustee

Frederick County Oct 21st 1865.

I hereby certify that I have this day purchased of Elizabeth A. Benton Trustee in No 2227
Equity in the Circuit Court for Frederick County, the real estate described in the annexed
advertisement containing one hundred & fifty nine acres, two rods & twenty three perches, at and
for the sum of \$21.⁰⁰ per acre and upon the terms as prescribed by the decree as published
Total amount of sale \$3424.⁰⁰



Isaac Davis.

Petition
of
Isaac Davis

To the Hon. Madison Nelson Judge of the Circuit Court for Frederick Co sitting in Equity.
Your petitioner Isaac Davis respectfully represents unto your Honor that heretofore to wit
on the 25th day of June 1865, one John Gardner filed his certain bill of Complaint in your Hon^r
Court against Elizabeth A. Benton Adm^r of Jas^o I. Benton dec^d Henrietta I. Benton, Rachel
A. Benton, Theodore I. Benton, Samuel Morrell Benton, Robert A. Benton & Morgan I. Benton
the children & heirs at law of the said James I. Benton dec^d praying amongst other things for
the sale of the real estate or which the said Samuel I. Benton dec^d seized & possessed, that on the
19th day of September 1865 a decree was passed by your Honor in said case for the sale of the real
estate of which the said James I. Benton dec^d seized & possessed or so much thereof as might be
necessary for the payment of his debts, Your petitioner further shows that Elizabeth A. Davis was
appointed Trustee to make such sale under said decree, that said Trustee acting as the supposed
in pursuance of said decree did on the 21st day of October 1865, offer at public sale a certain prop-
erty described in the proceedings in said case as "all those parts or tracts of land called Red-
mount and part of the Resurvey on Williams Chances" which said real estate is particularly referred
to in the said bill of Complaint in said case or part of the real estate of which the said James I.
Benton dec^d seized & possessed of in fee, that your petitioner believing that the said James I.
Benton dec^d seized & possessed of said real estate in fee & that the legal title thereto was vested
in said Trustee by virtue of the decree passed as aforesaid, and that the purchaser thereof would
obtain a good legal title valid in all respects by reason of any purchase that he might make
at said sale of said real estate or by virtue of any deed therefore which he might obtain from
said Trustee, became the purchaser thereof at a full & fair price, as though the title to said
land was in every way clear & untrammelled to wit for the sum of \$3410 55 - all of which
will more fully appear reference being had to the papers & proceedings filed in said case in
your Hon^r Court. And your petitioner is advised on so charges that it does not appear

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