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The State of Maryland to Daniel P Zimmerman Jacob Anders Nancy
Barriek Mary Francis Audrow Chas. C. Audrow Hiram M. Audrow Mark
J. Audrow Ella J. Audrow Clarence C. Audrow and Albert Audrow
of Frederick County Greeting. You are hereby commanded that all
excuses set apart you personally appear before the judges of the Circuit Court
for Frederick County sitting as a Court of Equity to be held at the Court
House in Frederick Town in and for said County on the 30th Monday
of September next to answer the bill and Complaint of Charles W Miller
against you in said Court exhibited and so forth

Hereof fail you not as you will answer the contrary at your peril.

Witness the Honorable Richard J. Bowie Chief Judge of our said Court the
11th day of May 1874. Shmud the 12th day of August 1874.

To the Sheriff of Frederick County
Endorsed June 2nd J. H. Nicholas Sheriff

Thomas Gorsuch

Clerk

Filed Sept. 22 1874.

Agreement

This agreement made this 22nd day of June 1874 by and between Jacob
Anders and Charles W. Miller both of Frederick County in the state of
Maryland Witnesseth that whereas the said Jacob Anders holds a
Mortgage executed by Daniel P Zimmerman of Frederick County
upon the farm of which J Hamilton Audrow died seized and possessed
to secure to said Jacob Anders Five equal Notes of Five hundred dollars
each with interest upon each Three of which notes are now over
due and unpaid and the said Jacob Anders by virtue of a power of sale
in said Mortgage has advertised the said Farm at Public Sale for the 27th
day of June 1874 for Cash and whereas Mrs Nancy Barriek holds a
Second Mortgage upon said farm and it is apprehended that should
said Jacob Anders sell said property for Cash as advertised the same
may be sacrificed to the great detriment of the said Nancy Barriek
as well as the representatives of the said Audrow and the said Jacob
Anders has assented and agreed that in consideration of the said
Chas. W. Miller paying to him the amt now due upon one of said
Notes over due to assign said Note to him the said Chas. W. Miller and
stop the said sale and not sell said property under said Mortgage pro-
vided the said Chas. W. Miller as Assignee of said Note shall file a bill
for the sale of said property under a decree of the Circuit Court for Fred-
erick County in Equity upon credits so that the said property shall be
so advertised for sale not later than in the month of February 1875 and
the said Chas. W. Miller in consideration of the premises obligates him-
self to at once file a bill in Equity for the sale of said property and
procure a decree therefor at the earliest day practicable and advertise
the said property under such decree not later than February 1875
and it is further agreed that the terms of sale to be prescribed in such
decree shall be one half Cash and the balance in one and two years with
interest and that the said Chas. W. Miller shall be the Trustee to sell
said property unless he should die before the passage of the decree in which
event the said Jacob Anders shall be the Trustee and the said Court
is asked to decree in accordance with this agreement Witness our hands & seals
Test. Milton Garner. Jacob Anders Seal Chas. W. Miller Seal

Test. Milton Garner.

Jacob Anders Seal Chas. W. Miller Seal

Filed Aug 13 1874