

Affidavit

State of Maryland, Frederick County - Jct:  
On this 7th day of April in the year 1868 before me Clerk of the Circuit Court for Frederick County personally appeared Ephraim Albaugh Complainant in No. 3321 Equity and made Oath on the Holy Evangelists of Almighty God that the appeal prayed by him in the above case is not taken for delay.

Filed April 7, 1868.

Charles Mantz Clerk

Decree of Court of Appeals & Agreement of Counsel

Ephraim Albaugh } Court of Appeals of Maryland.  
vs. } April Term 1869  
No. 7 General Docket in the Court of Appeals  
James H. Gattson & wife & others } April Term 1869.

It is hereby agreed that the judgment in this case shall be reversed with costs and that the Court of Appeals shall pass a decree herein annulling and making void the deed to Susannah E. Gattson a copy of which is filed herein as Exhibit No. 4 and shall also decree that the Land and premises in said deed specified shall be sold by a trustee to be appointed for that purpose and that the proceeds of sale shall be brought into Court for the benefit of said Ephraim Albaugh and the other creditors of said James H. Gattson and that William B. Nelson shall be appointed the Trustee to make such sale

Francis Brungle  
Grayson Eichelberger  
Attys for Appellant.  
W. B. Nelson  
W. J. Gallagher  
Solrs. for Defendant.

Ephraim Albaugh } Court of Appeals of Maryland.  
vs. } April Term 1869.

James H. Gattson & wife & others } The appeal in this case standing ready for hearing is in accordance with the agreement of the Counsel of the respective parties on this 6th day of April 1869 by the Court of Appeals of Maryland and by the authority thereof adjudged ordered and decreed that decree of the Circuit Court for Frederick County of the 22nd of November 1867 from which this Appeal was taken be and the same is hereby reversed with costs and the deed to Susannah E. Gattson marked Exhibit No. 4 be and the same is hereby declared null and void and the cause is hereby remanded for further proceedings in accordance with the aforesaid agreement a copy whereof is hereto annexed as a part of this decree

James L. Bartol  
James A. Stewart  
George Brent  
Oliver Miller

Maryland Jct:  
I James S. Franklin Clerk of the Court of Appeals of Maryland do hereby certify that the foregoing agreement and decree is taken from the record and proceedings of the said Court of Appeals In testimony whereof I hereto set my hand as Clerk

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