

survivor of them and the Executors Administrators and Assigns of the survivor shall stand possessors of the moneys from said sale upon trust in the first place to pay and reimburse themselves or either of them all such costs charges and expenses as they or either of them shall or may sustain about such sale and also pay the expense of these presents and all other costs and charges which may be incurred in the execution of the trusts hereby created together with a Commission of Five per cent to the said trustees and then in trust that they shall apply the residue of the said money first in payment of all Mortgage and Judgment liens then in payment of the several debts due to the Creditors aforesaid of the said Elizabeth Shoemaker without any preference or priority of payment, and after payment of such debts costs and expenses then in trust that they shall pay the surplus (if any) unto the said Elizabeth Shoemaker her Executors Administrators or assigns and for the consideration and purposes aforesaid the said Elizabeth Shoemaker doth appoint the said David Birely and Samuel Birely and the survivor of them the Executors Administrators and Assigns of the survivor their Attorneys jointly and severally in the name of the said Elizabeth Shoemaker or otherwise to liquidate all accounts relating to the premises and to collect all debts and sums of money hereby assigned and discharge give for the same and to dispute and contest all unjust claims and further to do all other acts requisite to be done in the premises as fully as the said Elizabeth Shoemaker might or could have done if these presents had not been executed and also that they the said David Birely and Samuel Birely shall be charged with their respective receipts payments acts and wilful defaults only and shall not be charged for any sums of money other than such as shall respectively come to his or their hands nor with any loss which may happen in the execution of the trusts aforesaid without their respective wilful default

Witness my hand and seal

Test.
L. E. Buckley

Elizabeth ^{her} Shoemaker ^{mark} 

State of Maryland Frederick County Court:

I hereby certify that on this 17th day of April 1874 before me the subscriber a Justice of the Peace of said State in and for Frederick County personally appeared Elizabeth Shoemaker and did acknowledge the foregoing deed to be her act, and at the same time and place also appeared before me David Birely and Samuel Birely Grantors in said deed and each made Oath on the Holy Evangelists of Almighty God that the consideration set forth in said deed is true and bona fide as therein set forth,

Acknowledged and sworn before

Julia Dec. 11. 1874.

L. E. Buckley J. P.

Acknowledgment of
Purchase

I hereby acknowledge that I have this day purchased by public auction all that Real Estate described in a deed of trust given by Elizabeth Shoemaker to David Birely and Samuel Birely for the benefit of her Creditors and this day sold by virtue of said deed of trust for the sum of twenty dollars and five cents per acre containing 172 a 2 R 2 1/2. \$3461 25 and I hereby agree to pay the sum of One Thousand One hundred and fifty three dollars and twenty five cents being the one third of said purchase money this day or before the ratification of the sale and