

of said Land and a Corner of said Birelys adjoining Land and running thence with and bounding on said Birelys original lines South 5 1/2 to East 19 1/4 perches to a planted stone stunc South 39 1/2 West 95 perches to a stone then by and with a straight line to the place of beginning and containing 5 Acres 3 rods and 13 square perches of Land (be the same) more or less

I hereby certify that this is in substance a true description of the above referred to parcel of Land copied from my field book & plat of the same.
August 6 1835
David Birely, Sur

Decree

Jacob Birely
vs.
Lycurgue Miller &
Lucinda E Miller his wife

No 4090 Equities
in the Circuit Court for Frederick County, sitting as
a Court of Equity

February Term 1876.

The above cause standing ready for a hearing and being submitted the bill, exhibits, depositions and all other proceedings were by the Court read and considered, it is thereupon this 12th day of April in the year 1876 by the Judge of the Circuit Court for Frederick County as a Court of Equity and by the authority of said Court adjudged ordered and decreed that the Land and premises mentioned in these proceedings be sold for the purpose of paying the Mortgage debt mentioned in the proceedings in this cause unless the Defendants or either of them pay to the Complainant or bring into this Court to be paid to him the Mortgage debt on or before the 17th instant and that David Birely of Frederick County be and he is hereby appointed trustee to make the said sale and that the course and manner of his proceeding shall be as follows: He shall first file in the Clerks Office of this Court 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 hundred 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 printed 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: the whole purchase money to be paid in Cash on the day of sale or ratification thereof by the Court and as soon as may be convenient after any such sale or sales the said Trustee shall return to this Court a full and particular account of the same with an affidavit of the truth thereof and of the fairness of such sale or sales annexed and on the ratification of such sale or sales by the Court and on payment of the whole purchase money and not before the said trustee by a good and sufficient deed to be executed and acknowledged agreeably to law shall convey to the purchaser or purchasers of the said property and to his her or their heirs the property to him her or them sold free clear and discharged of all claim of the parties to this cause and of any person or persons claiming by from or under them, and the said Trustee shall bring into this Court the money arising on such sale or sales to be disposed of under the direction of this Court after deducting therefrom the costs of this suit and such commission to the said Trustee as the Court shall think proper to