

Proceeding mentioned be sold under a Decree of your Honorable Court, and the Proceeds of sale divided among those interested according to their several and respective interests. To the end therefore that the Defendants hereinafter named may answer the several matters and things stated in original and amended bills of complaint the same as if they were herein again repeated and they were thereunto specially interrogated and that the Real Estate in the proceedings mentioned may be sold under a Decree of your Honorable Court and the Proceeds of sale divided amongst the parties interested according to their respective interests and that your Complainant may have such other and further relief as the nature and Equity of his case may require.

May it please your Honor to grant unto your Complainant the Writ of Subpoena against the said Charles Thomas Thompson, John M Thompson, Sarah L Thompson, Samuel Albert Thompson, John H Fogle and Louisa Fogle his wife and Joseph Holworth of Frederick County commanding them to appear in this Court on some certain day to be therein named to answer the premises and abide by and perform such Decree as may be passed therein,

And as in duty &c

John E. R. Wood  
W. J. Ross  
Charles W. Ross  
Sole for Complainant.

Filed May 1 1869.

Exhibit No 41

This Deed made this 30th day of October in the year 1866 by Darius H Barnes Farmer of the County of Frederick in the Maryland, Witnesseth that in consideration of Two thousand dollars current money the said Darius H Barnes doth grant and sell unto John H Fogle of the said County and State all that piece parcel <sup>part of a</sup> and tract of land lying in said County of Frederick being part of a tract of land called "Reurvey on Mook" and adjoining the lands of Revi Dore, Benjamin Conner and Mary Citteral (Widow) and containing One hundred and twenty five acres of land more or less it being the same land on which the said Darius H Barnes now resides upon to him the said John H Fogle his heirs and assign in fee simple clear of all incumbrances whatsoever and the said Darius H Barnes for himself his heirs Executors and Administrators doth covenant with the said John H Fogle his heirs Executors and Administrators that he has full right and full power and absolute authority to convey the said land unto the Grantee herein named in this Deed in the manner in which the same is conveyed or intended, so to be conveyed by this Deed according to its true intent

Witness my hand and seal

Test,

R. W. Phelps

Darius H Barnes 

State of Maryland, Frederick County to wit:  
I hereby certify that on this 30th day of October in the year of our Lord Eighteen hundred and sixty six before the subscriber, a Justice of the Peace of the State of Maryland in Frederick County aforesaid