Audit as directed by Messrs Ross and Wood Solicitors for Mortgagor & Mortgagees, under instructions filed

Fred J Nelson
Auditor

Dec 24th 1877.

Order Nisi

Report of Sales of Jacob N. Gittins Mortgagee
vs.
George W. Norris & wife

No. 4310 Equity.
In the Circuit Court for Frederick County Sitting in Equity.
December Term 1877.

Ordered this 24 day of December 1877 that on the 15th day of January 1877, the Court will proceed to act upon the Auditor's Report B. this day filed in the above case, unless cause to the contrary be shown before said day provided a copy of this order be inserted in some Newspaper published in Frederick County, for two successive weeks prior to said day.

Thomas Grumon Clerk
of the Circuit Court for Frederick County

Printer's certificate

Office of "The Examiner" Frederick, Md.
January. 15. 1878.

This is to certify, that the annexed order Nisi of sales was published in "the Examiner" a newspaper published in Frederick County, one a week for two successive weeks prior to the 15 day of January 1878.

Keefer & Kreauff.

Filed Feby. 1. 1878.

Ratification of Audit "B"

Jacob N Gittins Mortgagee
vs
George W Norris & wife

No 4310 Equity.
In the Circuit Court for Frederick County as a Court of Equity.
December Term 1877.

The fund in this case arises from the sale of land which was sold under a power contained in a Mortgage from George W. Norris & wife to Jacob N Gittins. After the payment of the first Mortgage debt, and the first Judgment to Wm E Mercer Assignee of Henry Lowntz about which there is no dispute there remained the sum of $486 24/100. The present contest is with regard to the distribution of this balance Jacob N. and D W. Gittins claim as Mortgagees of the specific property that their Mortgage should be first allowed and Wm E. Mercer assignee of Henry. Lowntz claims as creditor under a second Judgment confessed by the Mortgagor to said Lowntz. The Mortgage was Executed and acknowledged on the 18th day of April 1876, the affidavit to the consideration in the Mortgage was made on the 25th day of April 1876, and the whole placed on record on the 29th day of April 1876 The question as to the right of priority between these two claimants is settled by the case of Knell vs The Green Street Building Association 34 Md 67 which decides that a Judgment confessed after the date of a Mortgage duly