No. 4680 Equity

	Amount brought forward			$225	02
Distribution	Whereof there accrues, as per instructions of Milton G. Urner, Esq.,				
B	B. F. Wuchala on Mechanics Lien filed 34th Sept	92	02		
	Wm. H. Hooper " " "	9	34		
	Samuel P. Whip " " " "	11	25		
	Rentzahn & Bowers " " " "	99	50		
	Charles W. Haller " " " "	12	89	225	02

To the Hon. the Judges of the Circuit Court for Frederick County sitting in Equity.

In this Audit I have charged Trustees with Amt. of Trust funds reported. I have then allowed costs, commissions & vouched expenses, & distributed residue according to instructions of Solicitors Motter & Turner respectively as per distributions A & B.

July 8th 1881.

Fred J. Nelson
Auditor

Same day filed

Order Nisi on Auditor's Report

Caspar Merling
vs
Herman L. Meyer & Margaret E. Meyer, his wife, and others

No. 4680 Equity
In the Circuit Court for Frederick County, Sitting in Equity.
May Term, 1881.

Ordered this 8th day of July 1881, that on the 30th day of July instant, the Court will proceed to act upon the Auditor's Report 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.

Adolphus Frankenberg Jr. Clerk of the Circuit Court for Frederick County

Filed July 8th 1881.

(Examined)

Caspar Merling
vs
Herman L. Meyer and others

No. 4680 Equity
In the Circuit Court for Frederick County, as a Court of Equity.
December Term, 1881.

Court's Opinion & Order rejecting Auditor's Report, except as to "Distribution A"

This case is now before the Court on exceptions to the Auditor's Report filed in the cause. The proceedings show that in March, 1880, Caspar Merling the Complainant, sold the land described in the proceedings, to Herman L. Meyer, for the sum of $2346 56/100 to be paid for as follows: $346 56/100, in May, 1880, $500 on January 1st, 1881, and $1500 on the 1st day of January, 1882, with interest from the 1st day of May 1880. That upon the payment of the said $346 56/100 in May, 1880, the said Merling was to execute to said Herman L. Meyer, a good deed for the land, and simultaneously therewith, Meyer was to execute a Mortgage to Merling for the balance of the purchase money. That some time in March or April 1880, Meyer took possession of the said property. Neither the deed nor the Mortgage was ever executed. Herman L. Meyer not being prepared to meet the first payment, on the 11th of May 1880, had his note for $500, on which Caspar Merling and John J. Meyer were his sureties, discounted at the "Farmers and Mechanics National Bank, out of the proceeds of which he paid the said Caspar Merling the said first payment of $346 56/100.

That in the summer of 1880, the said Herman L. Meyer commenced the erection of a brick house upon said property, which was left unfinished. That in the latter part of August 1880, the said Herman L. Meyer becoming involved in debt, left the State of Maryland, taking with him his family, and leaving the $500 note in Bank, and the two deferred payments for the land unpaid.

That in September 1880 the said Caspar Merling & John J. Meyer, took up the unpaid note

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