

No. 4968 Equity

Respondents Costs:

C. O. Keedy Exam fee (1 day)	4.00
Geo W Game Shff	1.20
Theresa A Simmons (party)	
Otto J Keller Not. Wily. & Allen	1.35
Chas B Foxt "	.75
Jno Groff " Wily. & Allen	1.35
Jno A DeLashmuth " "	1.35
	<u>\$ 10.00</u>

Filed May 9. 1884. Total costs of \$16.<sup>10</sup>/<sub>100</sub>.

Theresa A Simmons  
Mortgage of Rushwood Pede  
in  
Petition

No Equity  
In the Circuit Court for  
Frederick County  
Sitting as a Court of Equity

After the return of the testimony taken in these proceedings the Examiner was notified to fix a time for the further examination of witnesses on the part of the Exceptant and having fixed Tuesday May 18<sup>th</sup> at 3 O'clock P.M. at my office in Frederick City as the time and place for taking such testimony, Clayton O Keedy one of the regular Examiners of said Court did then and there in the presence of the counsel for the respective parties proceed to take the following testimony to wit:

Jesse Kneigh a witness of lawful age produced on the part of the Exceptants being duly sworn and examined Viva Voce deposes and says as follows:

I know the parties to this suit. I heard a conversation by Mr Edward Keller when he was going away from the sale in which he said he expected to have had to pay \$1680.<sup>00</sup>/<sub>100</sub> for the property. That was after he bought the property. He is one of the brothers that purchased this property.

To Cross Interrogatories the said witness deposes: I was present at the sale. I don't remember to whom the property was knocked off but it was a Mr Keller. There were four Kellers there that I knew. He was talking to Mr Cephas Thomas and myself; we three were going down town together after the sale.

Signed Jesse Kneigh

Whereupon there being no other witnesses to be examined and no further time being required for the production of testimony, the Examiner herewith returns the same enclosed to the Court and certifies the same, Witness my hand this 18<sup>th</sup> day of May A.D. 1884

Clayton O Keedy  
Examiner

Costs of Aforegoing Testimony

C. O. Keedy Exam fee 1/2 day	2.00
Geo W Game Shff	.40
Jesse Kneigh wit	1.75
	<u>\$ 4.15</u>

Filed May 13. 1884

Theresa A Simmons, Mortgage  
On  
Petition

No 4968 Equity  
In the Circuit Court for Frederick County in Eq Equity  
May Term 1884

This case is now before the Court on Exceptions to the sale made by the Mortgagee and reported to this Court on March 10<sup>th</sup> 1884.

The first Exception is, that the sale was not made as the terms prescribed in the Mortgage