

No. 5087 Equity.

Whereupon there being no other witnesses to be examined, and no further time being requested for the production of evidence, the said Examiner hereby certifies that the foregoing are the original depositions in this cause as the same were read over to the witnesses, and signed by them respectively; and he herewith returns the same enclosed to the Court.

Witness my hand, this 30th day of September A. D. 1885

Clayton O'Keedy
Examiner.

| | |
|-----------------------------------|--------|
| Costs of the foregoing Testimony | |
| C. O'Keedy Exam fee (2 days) | \$8.00 |
| George W. Grove, Sheriff | 1.60 |
| George W. Sims, wit. only & atten | 3.25 |
| Samuel S. Ohler " " " | 3.25 |
| (Other Witnesses no charge) | |

L. ydca A. Fuser Sr
Plaintiff -
(vs)
Anns Fuser et al

No. 5087 Equity
In the Circuit Court for
Frederick County, sitting, as a
Court of Equity.

Defendants. September Term 1885
It is thereupon this 19th day of October, in the year eighteen hundred and eighty-five by 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 purposes of partition among the parties to this cause and that Eugene L. Rowe, of Frederick County, be and he is hereby appointed Trustee to make said sales and that the course and manner of his proceedings shall be as follows, he shall first file in the Clerk's Office of this Court or the Clerk thereof, in the penalty of five thousand 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 published, 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: One-third of the purchase money to be paid in cash on the day of sale, or on the ratification thereof by the Court, the residue in two equal annual payments the purchaser or purchasers giving his, her, or their notes, with approved security, and bearing Interest from the day of sale, and as soon as may be convenient after any such sale or sales, the Trustee shall return to this Court a full 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

Decree.

Exhibit 1st