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No. 5188 Equity

of the one part and Daniel P Saylor of Frederick County and State aforesaid of the other part whereas by a decree of the Circuit Court for Frederick County, sitting as a Court of Equity in case No 2382, the said Joshua Smith was appointed trustee to make sale of certain lands and premises therein mentioned. And whereas the said Joshua Smith, trustee in pursuance of said decree, did on the 22d day of September in the year 1853, sell to the said Daniel P. Saylor for the sum of Thirteen Thousand dollars all the land and premises mentioned in said decree, excepting that part thereof which was sold by said Joshua trustee as aforesaid to one Henry C McKinstry previous to the 22d day of September aforesaid, and which is hereinafter more particularly described. Now this Indenture witnesseth that the said Joshua Smith trustee, for and in consideration of the sum of Thirteen Thousand dollars to him in hand paid, before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, hath given granted bargained and sold and by these presents do give grant bargain and sell unto the said Daniel P. Saylor his heirs and assigns forever, All the right, title, interest and estate which George H Waesche had at the time of his death or of which said Joshua Smith, Trustee now or may have derived, (to him) by virtue of said decree, in and to certain parcels of lands, which was resurvey and called "Prosperity and also part of the tract called "The Resurvey on Pipe Creek Hills" lying along the mates of Double Pipe Creek, and in both Frederick & Carroll Counties aforesaid, and contained within the following mates and bounds, courses and distances to-wit: Beginning at a stone standing at the end of the third line on the said Resurvey called "Prosperity" and running with & bounding on the lines thereof, allowing two degrees for variation South 21¾ degs. west 40 ps South 6¾ degs. west 20 ps. South 34¾ degrees W 87 ps. South 18¾ degs. East 21 ps. South 46¾ degs. East 22 ps South 21½ degs East 20 ps. South 12 degs W. 5 ps. South 29 degs. west 18 ps South 38 degs West 16 ps. South 40 degs. West 36 ps South 43 degs West 40 ps South 78½ degs. West 19 ps. South 76 degs. West 16 ps. South 87 degs West 34 ps. South 2 degs West 9 ps. South 67 degs East 38 ps South 71 degs East 6 ps. South 33¾ degs; West 50 ps. to a stone No 22 near White Oak Tree. South 86½ degs, west 80 ps. to a stone planted No 23 standing on the outline of a certain John Millers land (now Amos D Norris) thence with the outlines of said Millers land North 16½ degs west 17 ps. to a stone planted No 24 standing at the end of one of the lines of said Millers land and near a marked black oak tree, still with the outlines thereof, North 26 degs. east 20 ps. to a stone planted No. 25; North 34 degs - west 118 ps to a stone formerly planted No. 26, standing in the middle of the Main Road leading to Hagerstown, thence North 2 degs. East 22 7/10 ps to a stone planted No. 27, standing at the end of 97 8/10 ps - on the 7-line of a tract of land called "The resurvey on Pipe Creek Hills, thence by a dividing line made between said George H. Waesche and William Miller, as per deeds including including the part aforesaid of "The Resurvey on Pipe Creek Hills" North 8½ degs - east 36½ ps thence North 66 degs west 1½ to the end of the 31st lines of the resurvey called "Prosperity" and with the 32d line thereof, allowing as aforesaid, North 66 degs west 49¾ ps. to a stone No. 33 standing near a large white oak tree marked with 12 notches & standing on the south bank of Pipe Creek, thence 76 degs. west 20 ps. to a Stone planted No. 34 standing near two marked