

No. 3716. Equity

Wm B. Kramer Trustee, 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 three successive weeks prior to said day.

The report states the amount of sales at \$14,400.00

Thomas Cornuch Clerk

Filed January 21st 1875

of the Circuit Court for Frederick County

William Henry H. Sumale, by his next friend Thomas G. Plummer.

No. 3716. Equity.

Arthur Cromwell, Samuel H. Sumale et. al.

In the Circuit Court for Frederick County, in Equity.

To the Honorable the Judges of the Circuit Court for Frederick County, sitting as a Court of Equity.

1st. That Arthur Cromwell, Samuel H. Sumale and William B. Kramer were appointed trustees in the above entitled case to sell the real estate therein decreed to be sold.

2nd. That after several ineffectual attempts to sell the same at public sale, procured an order from your Honorable Court permitting the sale of the said lands and premises at private sale, and then sold to your petitioner Melville Cromwell the farm of about one hundred and ninety two acres, part of a tract called "Cawleton", at and for the sum of twenty five dollars per acre, amounting in all to the sum of four thousand four hundred dollars, that said trustees filed their report of the sale of the same in your Honorable Court, in the above entitled case, properly verified by affidavit, on the 21st day of January, 1875, and that on the same day an order nisi was issued by the Clerk of your Honorable Court, stating that on the 15th day of February next the Court will proceed to act upon the report of sales this day filed &c, provided a copy of this order be inserted in some newspaper published in Frederick County, for three successive weeks prior to said day, that the said order nisi was only published as is shown by the printer's Certificate filed in said case and recorded among the proceedings in Equity Record J.C. No 4 folio 63 &c.

3rd. That said sale, so far as is shown by the docket entries of the case, or the record of the same, has never been certified by your Honorable Court, although the purchase money for the same has been fully paid, as is shown by the audit in the case, whereby the trustees charge themselves with the full amount of the purchase money and distribute the same to the parties thereto entitled.

4th. That although there is no record of said sale ever having been certified, the said Arthur Cromwell and Samuel H. Sumale, two of said original trustees, together with William P. Mankly Jr. Esq. on the 16th day of February, 1875, executed a deed to your petitioner, which is recorded in Liber J.C. No 10 folio 35 &c one of the same

Equity

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