

No. 7133 Equity

Testimony &c.

and, that he was going to get a deed for it from the heirs of Robert and I thought that the matter had all been attended to before my brother's death. I have heard the testimony of John Smothers and Lewis S. Smith and as far as my knowledge goes it is correct.

In the general interrogatory by the examiner

Ans.

Nothing more

John C. Cobbley

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

Witness my hand this 17th day of May, 1900.

Arthur D. Willard

Examiner.

Costs of the foregoing testimony A. D. Willard, Examiner 1 day \$4.00

Certified to A. D. Willard.

A. D. Willard,

Examiner.

Decree.

John Smothers

William Smith and Callie Smith his wife et al

No. 7133 Equity

In the Circuit Court for Frederick County, sitting as a Court of Equity. Term 1900.

The above cause standing ready for a hearing, and being submitted the Bill, Answer, Exhibits and testimony and all other proceedings were by the Court read and considered and it appearing to the satisfaction of the Court that the agreement for the sale of the land mentioned in the proceedings should be specifically enforced.

It is therefore this 11th day of June in the year nineteen hundred 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 plaintiff is entitled to relief in the premises and to a specific performance of said agreement for the sale of the agreements interests of the defendants in and the land, mentioned in these proceedings and the purchase money having been fully paid it is further ordered, adjudged and decreed that Emory L. Cobbley of Frederick County, be and he is hereby appointed trustee to convey unto the plaintiff John Smothers, the interest of the defendants in this cause, in and to the land mentioned in these proceedings.

John C. Cobbley

Filed June 13th 1900.