

## No. 3633 Equity.

given for the deferred payment, which was one half the purchase money for the real estate sold by Grayson Eichelberger as Attorney for Thomas Foley to James H. Beall on the 31st day of August a. D. 1867. The amount for which said note was given was \$6870.<sup>00</sup> the deferred payment on said real estate. Four several payments have been made, on said note, as credited on the back of said note, Exhibit N. J. F., aggregating \$3929.<sup>00</sup> as follows \$500.<sup>00</sup> January 1st, a. D. 1868, July 8th, a. D. 1868, \$920.<sup>00</sup>, December 31st, a. D. 1868, \$475.<sup>00</sup>, August 15-1870, \$2034.<sup>10</sup> The first three payments were paid, to Grayson Eichelberger, the fourth payment was made by Lewis C. Beall, Administrator of, and Josephine R. Beall Administratrix of James H. Beall.

To wit: That the Complainer Daniel J. Foley is the present holder of said note Exhibit N. J. F. from the Brother of witness, Thomas Foley in consideration of his witness having paid to said Thomas Foley full value for said note, Exhibit N. J. F. There being no other witnesses present to be examined and in view party desiring further time for the production of their evidences the Commissioner closed the said Commission and herewith return the same under their hands, seals this 19th day of May in the year Eighteen hundred and seventy one.

J. E. R. Wood (Seal)

Commissioner fees	\$16. <sup>00</sup> .
Lewis C. Beall	75
Daniel J. Foley	51. <sup>75</sup>
	( 74. <sup>50</sup> )

J. E. R. Wood (Seal)

Decree.

Filed Nov. 7. 1871.

The above cause standing ready for a hearing, and being submitted, the Bill, Answers, Exhibits, and all other Proceedings were, by the Court read and considered. It is thereupon, this Seventh day of November in the year eighteen hundred and seventy one by the Circuit Court, for Frederick County, as a Court of Equity, and by the authority thereof, adjudged, ordered, and decreed, that the land and premises mentioned in these proceedings be sold, and that the same be sold clear and discharged of all claim of down Josephine R. Beall, widow of James H. Beall, and that