

NO. 8508. Equity.

each of them is hereby overruled except as hereinafter indicated; that said sale be and the same is finally ratified and confirmed except as to that part of the land sold containing about three rods and twenty-nine perches, which is marked on the plat accompanying the report of the trustee, "Parcel 4", as to which said sale is hereby vacated and set aside; that the said mortgage shall be and the hereby is allowed a ratable reduction in the purchase money on account of the inclusion of said sale as to said Parcel 4, the amount thereof to be ascertained by the auditor, and that the costs of these exceptions be paid out of the fund.

And it is further ordered that the proceedings in this cause be referred to the auditor, who shall proceed to ascertain by the proofs now in this cause, and such proofs, if any, as the parties may produce before him, each party to be limited to not exceeding three witnesses, the value of parcel 1, including parcel 3, on the one hand, and of parcel 2, including parcel 4, on the other with reference to the entire amount of the proceeds of sale as shown by the report of the trustee, he will then take the value of parcels 2 and 4, as thus ascertained and find the ratable value of parcel 4, and the amount so found will be allowed the purchaser as herein provided. The auditor will then proceed to state an account distributing the fund in accordance with the terms of the agreement herein filed on the thirtieth day of June 1910, and the auditor is directed to promptly proceed with the execution of this order and return his account and all his proceedings to this Court which shall be subject to all exceptions, and inasmuch as the regular Auditor of this Court is disqualified to state the account herein provided, for its further order, that Mr. D. Rowland Buckley, be and he is hereby appointed Special Auditor to state the same.

Edmund C. Otter,

Prayer of Appeals to  
Court of Appeals of Md  
from the order and decree  
Passed July 18-1911.

Filed Sept 13-1911.

Mark A. Vallum, party plaintiff in the above case prays an appeal to the Court of Appeals of