

Nichols, by deed from Lloyd D. Smoot and wife, dated September 14, 1903, and recorded in Liber D. H. H. No. 17, Folio 703, one of the Land Records of Frederick County; and being also the eastern frontage of thirty-six feet on Clay Street with an even width to the alley in the rear of that lot or parcel of ground that was conveyed to the said Alice C. Nichols by Hanson B. Carter, et al., dated March 3, 1898, and recorded in Liber D. H. H. No. 1, Folio 271, one of the Land Records of Frederick County. Together with all the buildings and improvements thereon, and all the rights, privileges and appurtenances thereunto belonging or appertaining, especially is the right hereby granted unto the said Edward Frye, his heirs and assigns for the use of the well now located near the divisional line of the property hereby conveyed and the remaining portion of the lot of said Alice C. Nichols for the obtention of water therefrom for domestic purposes with the right of ingress and egress thereto for said purposes;" which said lot adjoins the lot conveyed by the deed of April 30, 1918, with a street called Bank Street between the two, and that the said lot occupies the Northwestern, and the lot conveyed by the deed of April 30, 1918, occupies the Northeastern corner of Bank and Clay Streets in the said village of Point of Rocks; that the said Pearl B. Stunkle, one of the purchasers of the said lot, is a daughter of the said Edward F. Fry, and under the name of Purdy B. Stunkle, with her husband, the other purchaser, are parties to this proceeding, so that all of the parties concerned in the mis-description of this lot and the purchasers thereof, are parties hereto, and all were under the belief that your Trustee was selling the home property of the said Edward F. Fry, acted upon the said belief before and at the sale aforesaid, and the purchasers bid upon the property offered for sale in the belief that the property offered was the home property of the said Edward F. Fry.

Fourth: That your Trustee then offered for sale the second parcel described in the said advertisement, being an unimproved lot in the Village of Point of Rocks, being Lot No. 8 as designated on the plat filed as "Exhibit No. 3" in No. 7387 Equity and also a small strip between Lot No. 8 and Kanawha Avenue as relocated, together with the perpetual rights of way appurtenant thereto, but received no bid therefor.

And your Trustee next offered for sale the third parcel described in the said advertisement, being an unimproved lot in the Village of Point of Rocks, being Lot No. 9 as designated on the plat aforesaid, filed in No. 7387 Equity, and also a small strip between Lot No. 9 and Kanawha Avenue as relocated, together with the perpetual rights of way appurtenant thereto, but received no bid therefor.

And your Trustee then offered for sale the two parcels together, that is, Lots Nos. 8 and 9, as designated on the plat aforesaid, together with the small strips between the said Lots and Kanawha Avenue as relocated, and sold the same to John T. Wright and Katora B. Wright, his wife, who signed the acknowledgment of purchase under the names of J. T. Wright and K. B. Wright, at and for the sum of Seventy Dollars (\$70.00), they being the highest and best bidders therefor, and the said purchasers paid to your Trustee the full purchase price thereof, and have signed a written acknowledgment of purchase, which is herewith filed and marked "Exhibit Acknowledgment Wright", and prayed to be taken and considered as part hereof.

Fifth: That the said Lots were conveyed to the said Edward F. Fry by James O. Hyder, widower, by deed bearing date on the twenty-fifth day of March, 1919, and recorded in Liber No. 328, Folio 96, one of the Land Records of Frederick County; and that the said deed also purported to convey a certain Lot No. 5 on the plat above mentioned, but that your Trustee learned before the said property was advertised for sale, that the said James O. Hyder was not seised and possessed of the said Lot No. 5 at the time of the execution of the deed aforesaid, and that the title to the said Lot No. 5 was then and is now in the Church Extension Society of the Diocese of Maryland, a body corporate, and that upon said lot or portion thereof was erected the Episcopal Church in Point of Rocks; and your Trustee upon receipt of this information did not advertise for sale the said Lot No. 5.