degrees west twenty five perches north thirty degrees east twenty nine perches north sixteen degrees west seven perches north thirty degrees east six perches north sixteen degrees west twenty five perches north seventy one degrees east seventy three perches south thirty three degrees east seventy four perches north fifty eight degrees east three perches north thirty three degrees west ninety five perches north thirty five degrees east ten and a half perches to a stone north four degrees east seven and one tenth perches south thirty three degrees east twenty eight and three tenth perches north fifty eight and a quarter degrees east sixty perches to a stone near a branch the beginning of Benjn Whitmers, land it being also the end of the fourth line of the land sold by the said John Smith to John Six, then with said fourth line reversed north fifty eight degrees east one hundred and seventy four perches then south fifty one and a half degrees east twenty two perches to the end of the first line of a deed from Philip Barton Key to said Jonas Stevenson then with said line reversed south twenty six and a quarter degrees east three hundred and thirty eight and a quarter perches to the beginning containing two hundred and fifty eight acres three roods and fourteen perches of land more or less, which said land and premises and real estate are the same which was sold and conveyed by John Smith trustee under a decree of Frederick County Court sitting as a Court of Equity to Amos Markey, by deed dated on the 28th day of January 1832, and recorded on the seventh day of May in the same year amongst the Land records of Frederick County and which are the same lands and premises sold by said Amos Markey to said George Oler, and the same lands and premises mentioned and referred to in the Schedule returned with the Fieri Facias, in this case and mentioned "said Schedule returned with said Fieri Facias, by the name of "Terra Rubra Resurveyed and a part of a tract called "Terra Rubra Resurveyed" situate and lying in Carroll County near Keys School House and which was appraised by the appraisers whose hands and seals are subscribed and affixed to said Schedule, and that I sold all the said right title estate and interest claim and demand both at law and in equity of the said George Oler, in and to said land and premises and real estate to Daniel Sell, he being the highest bidder therefor at and for the sum of seven hundred and fifty dollars - And I further certify to the Honorable Court within mentioned that out of and from the said sum of money being the proceeds of the sale of the said of said above mentioned and described land and premises I have satisfied and paid the said Daniel Sell, the plaintiff the amount of the debt, damages costs and charges in the within writ specified - and that I have retained and paid out of and from the balance of said purchase money the taxes due the State of Maryland, and also officers fees in my hands for collection, and also the County taxes at the request of said defendant and the remainder of said sum of money being the surplus in my hands after the payment of said debt damages costs and charges and taxes and officers fees I have paid to the order of the said George Oler, the said defendant - Witness my hand - - I Henry Hoppe, Shff of Carroll County"

And whereas afterwards to wit, on the thirteenth day of April one thousand eight hundred and forty six on the petition of the said Daniel Sell it was ordered by the County Court aforesaid that a writ of Habere Facias Possessionem issue against the said George Oler authorising the present Sheriff



of Carroll County to give to him the said Daniel Sell, possession of the real estate by the said Daniel Sell, purchased under and by virtue of the writs herein before recited, and that he the said Daniel Sell, recover against the said George Oler the sum of ten dollars eighty seven and one third cents for his costs and charges by him in and about said petition and order in that behalf laid out and expended - Therefore you are hereby commanded that without delay you cause the said Daniel Sell, to have his possession of in and to the land and premises hereinbefore described with the appurtenances and in what manner you shall execute this writ make appear to Carroll County Court to be held at the Court House in Westminster on the first Monday of September next - You are also hereby commanded to take the aforesaid George Oler, if he shall be found in your bailiwick and him safe keep so that you have his body before the said County Court at the place and on the day last aforesaid to satisfy unto the said Daniel Sell, the costs and charges aforesaid. Hereof fail not at your peril and have you then and there this writ - Witness the Honorable Thomas B. Dorsey Chief Judge of our said Court the sixth day of April 1846 - Issued the 28th day of April 1846 -

Jacob Shower, Clk:

Afterwards to wit on the fourth day of May in the year last aforesaid the said George Oler, by virtue and in pursuance of the provisions of the act of Assembly in such case made and provided files in the office of the clerk of Carroll County Court a certain other writing obligatory commonally called an Appeal Bond which is in the words and of the tenor following to wit:

"Know all men by these presents that we George Oler, of Carroll County and Frederick Oler, and Melchor Shaner, of Frederick County Maryland are held and firmly bound unto Daniel Sell, of Frederick County in the State aforesaid in the full and just sum of one thousand dollars current money to be paid to the said Daniel Sell, or his certain attorney executors administrators or assigns to which payment well and truly to be made we bind ourselves and each of us our and each of our heirs executors and administrators jointly and severally firmly by these presents sealed with our seals and dated this thirteenth day of April eighteen hundred and forty six - whereas the above named George Oler considers himself aggrieved by an order passed at the April Term of Carroll County Court, on the petition of a certain Daniel Sell, for a certain writ of Habere facias possessionem to be issued out of said Court against him the said George Oler, authorising the Sheriff of Carroll County to give to him the said Daniel Sell, possession of certain real estate by him purchased under a writ of Fieri Facias from which said order, the said George Oler has prayed an appeal to the next Court of Appeals - Now the condition of the above obligation is such that if the above bound George Oler shall cause a transcript of the record and proceedings in the said petition mentioned to be transmitted to the next Court of Appeals to be holden for the Western Shore within the time required by law and prosecute the same with effect and shall also deliver up the same land and premises in case the said order shall be affirmed and shall also pay to the said Daniel Sell, as well the costs and charges adjudged