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Eldred W. Mobberly vs John Cook Mobberly	No. 52 Trials On the foreign docket of the Circuit Court for Howard County.

The Plaintiff by his counsel to maintain the issue joined on his part offered in evidence the following deed from George Smith, Trustee, to Eldridge W. Mobberly.

Deed.

1853 Oct. 7 Ex.d & del.d to grantee.	At the request of E. W. Mobberly the following Deed was recorded 21 Dec. 1850. 1850 Dec 21 Rec.d Stamp duty W. B. Tyler Clerk.

This Indenture made this 3 June 1850 between George Smith of Frederick County in the State of Maryland of one part Trustee as hereinafter mentioned & Eldridge W. Mobberly of the said County and State of the other part.

Whereas by a decree of Frederick County Court sitting as a Court of Equity bearing date on the 29th October 1847 passed in a cause in said Court depending between Nicholas Haller & others as Complainants & Isabella Hammond & others as Defendants being No. 2147 on the Equity Docket of said Court a certain Denton Hammond was appointed Trustee to make sale of the property in said Decree mentioned & hereinafter in part particularly described & conveyed.

But whereas before the full execution of the trust reposed in said Denton Hammond by said Decree upon petition of Thomas Hammond it was by said Court by Decree bearing date the 11 February 1850 decreed that the said Denton Hammond be removed from said trust that the said George Smith be appointed Trustee in the place & stead of the said Denton Hammond.

And whereas the said George Smith in pursuance of the power vested in him in & by said last mentioned Decree did on

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the 11 February 1850 sell & dispose of to a certain Eli Sowers a portion of said real estate containing 162 acres 2 Roods & 15 perches of land at & for the sum of Two thousand six hundred & one dollars & fifty cents & did on the same day sell & dispose of to a certain Joseph Wood another portion of said real estate containing 89 acres 1 rood & 37 perches of land for the sum of Fifteen Hundred & seventy dollars & 39/4 cents, which said two portions of land are hereinafter described & conveyed by outline courses & distances embracing both said portions.

And whereas subsequent to said sales & before the final ratification thereof upon petition of said George Smith, Eldridge W. Mobberly, Eli Sowers & Joseph Wood it was by said Court by decree bearing date on the 9th May 1850 decreed that the said E. W. Mobberly be substituted as purchaser in the place & stead of the said Eli Sowers & Joseph Wood & that upon the payment of the whole purchase money by the said Eldridge W. Mobberly the said Trustee to him the property reported as sold as aforesaid to the said Eli Sowers & Joseph Wood. And whereas the said purchase money for the said property & premises having been fully paid & satisfied by the said Eldridge W. Mobberly the said George Smith doth agree to execute these presents in pursuance of the power vested in him in & by the Decree aforesaid.

Now this Indenture witnesseth that the said George Smith for & in consideration of the premises & also of one dollar current money in hand paid by the said E. W. Mobberly to the said George Smith at & before the sealing & delivery of these presents the receipt whereof is hereby acknowledged hath bargained & sold aliened ~~enfeoffed~~ & by these presents doth give, grant, bargain & sell, alien & enfeoff release convey & confirm unto the said Eldridge W. Mobberly his heirs & assigns all the piece or parcel following to wit: being part of a