April Term 1865.

Emaus Hubbard and Wife
vs
James E Jarrell and James Higinett

Be it remembered That now here on the first Thursday in June being the second day of the said Month in the year of our Lord One thousand eight hundred and sixty five the Judge of the Seventh Judicious Circuit of Maryland in pursuance of the directions of the act of Assembly in such case made and provided, transmits to the Court of Appeals Here the Record of proceedings of a cause which was lately depending before him in the Circuit Court for Caroline County between Charles E Jarrell and James Higinett Complainants and Emaus Hubbard and Ellen J Hubbard his wife defendants and wherein the said Circuit Court passed a Decree for the said James E Jarrell and James Higinett against the said Emaus Hubbard and Wife and from which said Decree the said Emaus Hubbard and Wife appealed to the Court of Appeals here the tenor of which said Record of proceedings is in Sound following to Wit:

State of Maryland Caroline County to Wit,

At a Circuit Court of the 7th Judicial Circuit of the State of Maryland begun and held at the Denton in and for Caroline County on the Second Monday of March being the 10th day of the same Month in the year of our Lord 1862 and in the 86 year of the Independence of the United States of America.

Present.

Hon. N.H. Carmichael Judge.

James W Saulsbury Esq Sheriff. Robert J Stevens Clerk.

In the Record of proceedings of the said Court on the Equity side thereof amongst others were the following to Wit

Charles E Jarrell and James Higinett
vs
Emaus Hubbard and Ellen J Hubbard his Wife

Caroline County to Wit, Be it remembered that on or before to Wit on the 20 day of January in the year of 1861, came the said Charles E Jarrell and James Higinett Mortgagees and file in Court here the following Report to Wit, To the Honorable Nicholas H Carmichael Judge of the Circuit Court for Caroline County on the Equity side thereof, The report of Charles E Jarrell and James Higinett, authorized and empowered by a deed of Mortgage from Emaus Hubbard and Ellen J Hubbard, his wife, executed to them on the 11th day of November in the year 1859 to make Sale of certain Real Estate therein mentioned & Hims, That after giving Bond with Security for the faithful discharge of their trust as required by Art 64 Sec 6 of the New Code of Maryland and giving Notice of the time place, manner and terms of Sale by advertisement in the Denton Journal "a Newspaper printed at Denton in Caroline County for more than three successive Weeks before the day of sale they did pursuant to said Notice attend at the Court House Door in the Town of Denton on the eleventh day of December in the year 1860 between the hours of 12 Oclock M. and 4 Oclock P.M., of that day and there and there proceeded to sell said Real Estate as follows to Wit, We Charles E Jarrell and James Higinett by authority vested in us granted as aforesaid did offer at Public Sale to the highest bidder, all that four Scantalus tract, or parcel of Land, situate lying and being in the 2nd Election District of Caroline County, and adjoining the Lands of John J Sangston and others and called and known by the following names viz "Banks Addition" "Banks Delight" and part of "Bakers Pains" and supposed to Contain Five