

Complainant is entitled to the relief prayed for and it further appearing that the interest and advantage of all parties interested, require that the real estate mentioned in these proceedings should be sold, and the proceeds of the real and personal estate of Joshua Pearce deceased be distributed in conformity with the provisions of his will so far as the same can be executed, and it appearing from the evidence in the cause that the interest and advantage of Charles Morgan Pearce the infant devisee and legatee of the personal and real estate require that the land mentioned in these proceedings be sold. It is therefore this eighteenth day of June 1852 by Madison Nelson Judge of the Circuit Court of Frederick County, and by the authority of the Circuit Court for Frederick County sitting in Equity, ordered adjudged and decreed that the real estate whereof Joshua Pearce died seized and possessed and mentioned in these proceedings be sold at public sale, and that James Pearce and Deborah Pearce (widow of Joshua Pearce) be and they - hereby appointed trustees to make such sale and that the course and manner of their proceedings shall be as follows, they shall first file with the Clerk of this Court a bond to the State of Maryland in the penalty of twenty thousand dollars to be executed by themselves and two or more securities to be approved by this Court or by the Clerk thereof conditioned for the faithful performance of the trust reposed in them by this decree or which may be reposed in them by any future decree or order in the premises, they shall then proceed to make public sale of the said real estate, having first given at least three weeks public notice by advertisements inserted in one or more newspapers published in Frederick County of the time, place, manner and terms of sale, which terms shall be one third of the purchase money to be paid in hand on the day of sale, or ratification of sale by the Court at the election of the purchaser or purchasers, the residue in two equal annual payments from the day of sale, the purchaser or purchasers giving him, her or their notes for the same with approved security and bearing interest from the day of sale, and as soon as conveniently may be after any such sale or sales the trustees shall return to the Court a full and particular account of the same with an affidavit of the truth thereof and of the fairness of such sale or sales decreed. And on ratification of such sale or sales by the Court and on the payment of the whole purchase money and not before the said trustees by a good and sufficient deed to be executed and acknowledged according to law, shall convey to the purchaser or purchasers and to his her or their heirs, the property to him, her or them sold, free, clear and discharged of all claim of the parties Complainants and defendants in this cause, and of any person claiming by force or under them or any of them and the said trustees shall bring into this Court the money arising from such sale or sales and the bonds or notes which may be taken for the same to be disposed of under the order of this Court after deducting therefrom the costs of this suit and such commissions to the said trustees as this Court shall allow in consideration of the skill care attention and fidelity wherewith they shall appear to have discharged their trust. And it is further ordered and decreed that Deborah Pearce Executrix and James Pearce Executors of Joshua Pearce, within one month from the date of this decree, bring into this Court the proceeds of the personal estate shown by the proceedings in this cause to be in their hands, together with the interest due thereon to be distributed under the order of this Court

M. Nelson

Endued Filed June 22 1852

Bond

"State of Maryland Stamp Six dollars" Know all men by these presents that we James Pearce, Deborah Pearce, John D. Gaither, Richard D. Gaither, J. O. Pearce, G. R. Sappington of Frederick County and State of Maryland, in the full and just sum of twenty thousand dollars current money to be paid to the said State of Maryland

Co order

Rec'd.

Clt. of deposit

Trustees Report