

The case being submitted to the Court, upon the Petition, and Exhibits, which were read and considered, and the Court being satisfied, that the Petitioners are entitled to the relief prayed It is thereupon this 21st day of March 1854 by the said Madson Nelson Court Judge, for Frederick County, sitting as a Court of Equity, and by the authority of said Court, ordered, and adjudged, and Decreed, That John A Porter of the City of Frederick be and he is hereby appointed a Trustee in the place, and stead of Henry Kustaff the executor named and appointed by Michael Rowe, dead in his Testament and last will he having refused to execute said Trust reposed in him, and that the said John A Porter as such Trustee, shall make sale, of the Real Estate of which the said Michael Rowe died seized, and that the manner of his proceedings shall be as follows He shall first file in this Court, with the Clerk thereof his Bond, to the State of Maryland, executed by himself with a good surety to be approved as required by Law in the penalty of Eight Hundred, dollars. Conditioned for the faithful performance of the Trust reposed in him by this Decree, or which may be reposed in him by any future order or decree in the premises, He shall then proceed, to make sale of the Real Estate of which the said Michael Rowe died seized, and to execute the Trusts, and powers, made and created in said Testament and last will of the said Michael Rowe dec^d according to the true intent & meaning thereof, and that before he proceeds to make said sale, he shall give at least three weeks previous Notice, inserted in some News paper printed in Frederick City of the time place, manner, and Terms of sale which terms shall be as follows One half of the purchase money, shall be paid to the Trustee, on the day of sale and the other half, in one year, from the day of sale, for which last payment the purchaser shall give to the Trustee his Note on Interest, with approved Security, to be approved by said Trustee, and the said Trustee shall return to this Court, a full & particular account of the same, with an affidavit of the truth thereof, and on the satisfaction of such sale and on the payment of all the purchase money (and not before) the said Trustee, shall by a good and sufficient deed executed in due form of Law convey, to the purchaser of said property, and to his or her heirs, the property to him or her sold, free clear & discharged of all claim of the Petitioners, and of all those claiming from or under the said Michael Rowe (dec^d) under his said will & Testament. And the said Trustee shall bring the money, the proceeds of sale into this Court to be distributed, and disposed of, according to the provisions, true intent & meaning of said Testament & last will &c &c

M. Nelson

The following Trustee's Bond was filed March 22^d 1854

State of Maryland Stamp 514 Know all men by these presents that we John A Porter John A Porter Esq. Row Esq. Ely of Frederick County Maryland, are held and firmly bound, unto the State of Maryland, in the just and full sum of eight Hundred Dollars, to which payment, well and truly to be made and done, 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 & dated this 21st day of March 1854 The condition of the above obligation is such that if the above bound John A Porter, shall well & truly, in all things, perform and fulfil the office, and duty of Trustee, for the sale of the Real Estate of Michael Rowe dec^d, under a Decree of the Circuit Court for Frederick County, sitting as a Court of Equity, in a cause therein depending Numbered 2546. Equity On Petition of John A. Porter & wife Esq. Rowe, Esq. Ely & wife & Sarah Ely, then this obligation shall be void, otherwise to be & remain in full force and virtue in Law

J. M. Palmer.

John A. Porter
Esq. Rowe,
Esq. Ely.