Decree

Smatt D Warfield Jr
Thomas E Shreves trustee
vs
Richard D Warfield
Elizth Warfield & others

No 2407 In the Circuit Court for Frederick County
sitting as a Court of Equity
February Term 1852

This cause standing ready for hearing and being submitted upon the bill, answers exhibits, testimony and other proceedings which were duly read and considered, it is thereupon this 30th day of June 1852 by Madison Nelson Judge of the Circuit Court for Frederick County sitting as a Court of Equity, and by the authority of said Court, adjudged ordered and decreed that the real estate of which Smatt D Warfield late of Frederick County died seized and possessed specified and described in the proceedings in said Cause be sold as therein prayed and that Smatt D Warfield Jr and John A Warfield be and they are hereby appointed trustees to make such sale and the time and manner of their proceeding shall be as follows they shall file with the Clerk of this Court their bond to the State of Maryland, executed by themselves with securities to be approved by this Court or the Clerk thereof, in the penalty of thirty thousand dollars 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 sale of said real estate either at public or at private sale altogether or in parcels as they shall deem most advantageous, having first given three weeks public notice in some one or more newspapers printed in Frederick County and in such other way as they shall think proper of the time, place, manner and terms of sale, which terms shall be as follows, one third of the purchase money to be paid on the day of sale or the ratification thereof, the other two thirds in two equal annual payments the purchaser or purchasers giving his her or their bonds bearing interest from the day of sale, with approved security for the deferred payments, and on the payment of the whole of the purchase money money and not before, the Trustees shall by a good and valid deed of conveyance to be executed and acknowledged agreeably to law, convey to the purchaser or purchasers and to his, her, or their heirs the property so as aforesaid to him, her, or them sold, free clear and discharged of all claim of the parties to this Cause and of those claiming by, from or under them, and as soon as conveniently may be after such sale, the trustees shall return to this 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 annexed and the trustees shall bring into this Court the money, the proceeds of said sales to be distributed under the direction of this Court among the parties entitled thereto, after deducting therefrom the costs of this suit & such commissions to the trustees as the Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust

Filed June 30 1852

M Nelson

Bond "State of Maryland Stamp Six dollars"

Know all men by these presents that we Smatt D Warfield Junr & John A Warfield, Jacob Rost, Ephraim Creager and Alexander Warfield of Frederick County in the State of Maryland are held and firmly bound unto the State of Maryland in the full and just sum of thirty thousand dollars current money to be paid to the said State, to which payment well and truly to be made and done, we bind ourselves and each of our heirs executors, and administrators jointly and severally, firmly by these presents sealed with our seals and dated this 2d day of August 1852

Whereas the said Smatt D Warfield Junr and John A. Warfield by virtue of a decree of the Circuit Court for Frederick County, sitting as a Court of Equity, have been appointed trustees to sell the real estate of the late Smatt D Warfield of Frederick County