

John Witherow of Frederick County be and he is hereby appointed Trustee to make - such sale and that the course and manner of his proceeding shall be as follows He shall first file with the Clerk of this Court a Bond to the State of Maryland - executed by himself, with two or more sureties to be approved by the said Clerk or by this Court, in the penalty of four thousand Dollars, Conditioned, for the faith- ful performance of the trust reposed in him by this Decree or which may be re- posed in him by any future order or Decree in the premises

He shall then proceed to make sale of said Real Estate, having first given at least three weeks previous notice, inserted in one or more Newspapers printed in Frederick County, and such other notice as he may deem proper of the time place, manner, and Terms of sale, which Terms shall be as follows One- third Cash to be paid on the day of sale or ratification thereof by the Court at the option of the purchaser The residue into equal annual payments from the day of sale, the purchaser giving his notes for the same with Security to be approved by the Trustee, bearing date, on the day of sale and with Interest from date and as soon as may be convenient after any such sale the said Trustee 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 annexed and on the ratification of said sale by the Court, and on the payment of the whole purchase money, and not before the said Trustee by a good and sufficient deed to be executed, and acknowledged agreeably to - said Court shall convey to the purchaser, of said property and to his heirs the property to him, her or them sold free clear & discharged of all claim of the parties to this Cause, and of any persons claiming by from or under them

And the said Trustee shall bring into this Court the money, and notes arising on such sale to be disposed of, under the direction of this Court after deducting - therefrom the Costs of this suit, and such Commission to the said Trustee as this Court shall think proper to allow in Consideration of the skill attention & fidelity wherewith he shall appear to have discharged his trust

W Nelson

Whereupon the following Bond was filed 7th Nov 1855

State of Maryland Stamp &c

Know all men by these presents, that we John Witherow John F. Witherow & John Hoover all of Frederick County are held and firmly bound, unto the State of Maryland in the full & just sum of four thousand Dollars Current money to be paid to the said State its certain attorney or assigns to the payment whereof, well and truly to be made and done we bind ourselves our heirs, executors & administrators, jointly and severally, firmly by these presents, sealed with our seals and dated this fifth day of November eighteen hundred and fifty three Whereas the above bounden John Witherow by a Decree of the Circuit Court for Frederick County sitting in Equity passed in the case N^o 2506 on the Dycket of said Court, has been ap- pointed Trustee to make sale of the Real Estate in the proceedings in said Cause mentioned. Now the condition of the above obligation is such - That if the said - John Witherow do and shall well and faithfully perform the Trust reposed in him by said Decree, or that may be reposed in him by any future Decree or order in the premises, then the above obligation to be void else to remain in full force & virtue in Law

Signed sealed & delivered in presence of
Jacob Hoover

John Witherow
John F. Witherow
John Hoover

'Endorsement' Nov 7 1855 Approved & filed Ed Hoover ck