

D. & P. Engle vs. Norris Joop, Dennis Joop & others. N^o 2573. In the Circuit Court, for Frederick County, sitting as a Court of Equity. October Term 1854. This cause standing ready for hearing and being submitted, to the Court, upon the bill, answers exhibits and all other proceedings, which were duly read and considered - It is thereupon this 20th day of October 1854, by me, 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 specified, and described in the proceedings in this Cause be sold as therein prayed, and that Peter Engle be, and he is hereby appointed Trustee, to make said sale, and that the Course, and manner of his proceedings shall be as follows. He shall first file with the Clerk of this Court, a Bond to be executed by himself, with Security to be approved by this Court, payable to the State of Maryland, in the penal sum of Three Hundred dollars, Conditioned for the faithful discharge of his duties as such Trustee, 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 said sale, having first given three weeks public notice of the time, place, manner, and Terms of sale by advertisements in some Newspaper printed in Frederick which Terms shall be as follows. One half of the purchase money shall be paid on the day of sale, and the residue in Twelve months from the day of sale, for which payment the purchaser shall give a Bond, with Security to be approved by the Trustee, and bearing Interest, from the day of sale, and on the payment of the whole of the purchase money, and not before, the Trustee shall by a good, and valid deed of Conveyance, to be executed & acknowledged agreeably to law, Convey to the purchaser, or purchasers, the property purchased by him free clear & discharged from all claim of the parties to this Cause, and as soon as may be convenient thereafter the Trustee shall return to this Court, a full account of his proceedings, as such Trustee, with an affidavit of the truth thereof, and of the fairness of such sale, and shall bring into this Court the purchase money the proceeds of such sale, to be distributed, under the direction of this Court, among the parties thereto entitled, according to the rights of the parties, after deducting therefrom the costs of this suit, to be taxed by the Clerk, and such Commission to the Trustee as this Court shall think proper to allow, in Consideration, of the Skill, attention, and fidelity, wherewith he shall appear to have discharged his Trust.

M. Nelson.

The following Bond was filed 28th Oct. 1854.

State of Maryland Stamp. 157. Know all men by these presents, that we Peter Engle, Jacob Landis, and Abdon Carlile in the State of Maryland, are held, and firmly bound to the State of Maryland, in the full and just sum of Three hundred dollars, Current money to be paid to the State of Maryland, or its certain attorney to which payments well and truly to be made, and now, we bind ourselves, and each of us, our and each of our heirs, executors & administrators, jointly, and severally, firmly by these presents, Sealed with our seals & dated this 26th day of October in the year, eighteen Hundred & Fifty four. Whereas by a Decree of the Circuit Court for Frederick County, sitting as a Court of Equity, bearing date, on the 20th day of October 1854, and passed in a Cause in the said Court, wherein D. & P. Engle, are Complainants, and Norris Joop, and others are Defendants, the above bound Peter Engle has been appointed Trustee to make sale of certain Real Estate, in the proceedings in said Cause mentioned.

Now the Condition of the above obligation is such, that if the above bound Peter Engle, 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, otherwise to remain in full force & virtue in Law.