

Thereupon the following Replication was filed January 22^d 1852.

Daniel Keller & others } No. 2395 Equity. In the Circuit Court for Frederick County,
vs } as a Court of Equity. Novr. Term 1852.
Martin A Keller & others }

The replication of Daniel Keller, Joel Keller and Nancy Keller his wife, Complainants, to the answers of Martin A Keller and Sarah Keller two infants defendants, by their guardian Frederick W. Conrad and Sarah Orr another infant defendant by her guardian Jacob Baer. These replicants for replication to said answers say, that they will aver and prove their said Bill to be true, certain and sufficient in law to be answered unto, and that said answers of said defendants, are uncertain untrue and insufficient to be replied unto by these replicants, without that, that any other matter or thing in said answers contained material or effectual in law to be replied unto, and herein not replied unto confessed and avoided, traversed or denied is true; all of which matters and things these replicants aver and will be ready to aver and prove as this Honorable Court shall award, and humbly pray as in and by their said Bill, they have already prayed. W^m O Sappington, Sol^r for Complainants.

The following Decree was passed & filed Feb^y 10th 1852.

Daniel Keller & others } No. 2395 Equity. In the Circuit Court for Frederick
vs } County, sitting as a Court of Equity
Martin A Keller & others } January Term 1852.

This cause standing ready for hearing, and being submitted without argument, the proceedings were read and considered. It is thereupon this 10th day of February 1852, by the Circuit Court for Frederick County, sitting as a Court of equity, adjudged, ordered and decreed that the property mentioned in said proceedings, to wit; The House & lot in Middletown, Frederick County Maryland, being part of Keller's Addition to Middletown, and part of a tract of land "The Runway on Watson's Welfare", be sold. That Daniel Keller of Frederick County be, and he is hereby appointed Trustee to make sale of said property and the course and manner of said Trustee shall be as follows; to wit; He shall first file his bond to the State of Maryland with security to be approved of by this court or the Clerk thereof in the penal sum of Fifteen hundred Dollars, conditioned for the faithful discharge 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 expose said premises for sale at public auction after leaving given at least three weeks notice of the time, place and terms of the sale in some newspaper published in Frederick County, and otherwise as he may deem expedient; and in case he should fail to make sale of said property on the day of sale as aforesaid, for the want of sufficient bidders, he may after that sell it either at public or private sale, at his discretion, and if at public sale by re-advertising as aforesaid. The terms of sale are that one third of the purchase money must be paid on the day of sale, or on the ratification thereof by this court. One third in six, and the balance in twelve months from the day of sale, the purchaser to give his notes with approved security, and bearing interest from the day of sale, for the said two last mentioned payments. And so soon as convenient after the said Trustee shall succeed in making sale of said property, he 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 said sale, and on the ratification of said sale by this court, and the payment of the whole purchase money and not before, the said Trustee by a good and sufficient deed, to be executed and acknowledged according to law, shall convey the said property to the purchaser thereof in fees.