

intestate and without issue of their bodies, leaving the brothers and sisters of said Elizabeth Bamford above named her heirs at law, these defendants further admit that all of the heirs at law of said Thomas Burch and Elizabeth Bamford are of full age, and all reside in Frederick County, State of Maryland except your defendants who reside without the limits of the State of Maryland, these defendants further admit that the said lands cannot be divided, that the interest and advantage of all parties interested therein requires that the said lands be sold and the proceeds of sale be divided among the heirs, and these defendants consent to a decree for a sale thereof, waiving all right of Election and pray hence to be dismissed &c.

Wm Burch
 Martha Burch
 John Burch
 Rebecca M. Burch

Decree

James Burch, and
 Mary Burch his wife
 and others

No 2690 Equity

In the Circuit Court for
 Frederick County, as a Court of Equity,
 October Term 1856.

vs
 Henry Eaton, and
 Sarah Eaton his wife
 and others

The above cause standing ready for hearing
 and being submitted, the Bill, Answer, Exhibits
 and all other proceedings were by the Court read

and considered and it appearing to the Court here that the complainants are entitled to the relief prayed for. It is this 8th day of November eighteen hundred and fifty six by Madison Nelson Circuit Judge for the third Judicial Circuit of the State of Maryland, and by the authority of the Circuit Court for Frederick County as a Court of Equity ordered, adjudged and decreed that the real estate in these proceedings mentioned, be sold and that James J. Burch of Frederick County be and he is hereby appointed a 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 the State of Maryland to be executed by himself and one or more sureties to be approved by this Court or the Clerk thereof, in the penalty of two thousand dollars conditioned for the faithful discharge of the trust reposed in him by any future decree or order in the premises. He shall then proceed to make sale of said real estate having given at least three weeks public notice in one or more of the newspapers published in Frederick County of the time, place, manner and terms of sale, which terms shall be one third of the purchase money to be paid in Cash on the day of sale or ratification thereof at the election of the purchaser, the residue in one and two years from the day of sale the purchaser giving notes with approved security bearing interest from the day of sale and as soon as may be convenient after any such sale or sales, 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 or sales annexed, and on ratification of such sale or sales, by the Court and on payment of the whole purchase money and not before the said Trustee shall convey to the purchaser or purchasers by a good and sufficient deed in fee simple, to be executed and acknowledged according to law, the property to him, her or them and

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