

Suitable tracts and sold as speedily as possible, so that when sold, timely and due notice may be given to the tenants in possession to quit said lands on 1st of April next, so that possession may be given to the purchasers at that time, which cannot be done unless the sale is soon made - that the sale of said real estate will be materially injured unless the trustees can give possession on the first day of April next. May it please your Honor to order said Lycurgus Eagle to file his bond as aforesaid by a given day and in default thereof that he be removed from said trust &c. G. Eichelberger, Sol. for Petitioners.

Court's Order No 3046 in the Circuit Court for Frederick County sitting in Equity, January Term 1863.

The Court having read and considered the foregoing petition it is thereupon ordered this 12th day of January 1863 that Lycurgus Eagle, the trustee named in the decree passed in this case, file his bond in accordance with said decree on or before the 19th January inst or show cause before said day and that in default thereof he will be removed from said trust, provided a copy of this petition and order be served on said Lycurgus Eagle on or before the 14th inst. M. Nelson

Bond Know all men by these presents that we Basil Delashmutt, Thomas R. Jarboe, Michael W. Fout, Jacob M. Bushey, Elias L. Delashmutt & John S. W. Jarboe of Frederick County are held and firmly bound to the State of Maryland in the just and full sum of fifty thousand dollars current money to be paid to the said State or its certain attorney to which payment well and truly to be made and done we bind ourselves and each of us and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, sealed with our seals and dated this thirty first day of December in the year eighteen hundred and sixty two. Whereas by a decree of the Circuit Court for Frederick County sitting as a Court of Equity bearing date on the 20th day of December 1862 and passed in a cause pending in said Court between Basil Delashmutt & wife and others as Complainants & George W. Eagle and others as defendants, being No 3046 on the Equity docket of said Court, the said Basil Delashmutt & Thomas R. Jarboe were appointed trustees to make sale of certain real estate in said proceedings mentioned. Now the condition of the above obligation is such that if the above bound Basil Delashmutt & Thomas R. Jarboe do and shall well and faithfully discharge the duties of trustee reposed in them by said decree or which may be reposed in them by any future order or decree in the premises, then the above obligation shall be void, otherwise to be remain in full force & virtue in law. Signed Seales & Deliv^d in the presence of Gerson Eichelberger } Basil Delashmutt. Thomas R. Jarboe } Jacob M. Bushey } John S. W. Jarboe }

Endorsed 12th Jan'y 1863 approved & filed - M. Nelson

Decree removing Lycurgus Eagle from trust } Basil Delashmutt and others } No 3046 in the Circuit Court for Frederick County sitting as a Court of Equity. January Term 1863. The copy of the petition of Basil Delashmutt, Elizabeth Frances Delashmutt his wife, Thomas R. Jarboe and Margaret L. Jarboe his wife, and of the Courts order passed thereon on the 12th day of January inst having been served on said Lycurgus Eagle in accordance with the provisions of said order and the said Lycurgus Eagle having failed to file his bond with approved security or to show cause why he has not filed such bond - It is thereupon this 20th day of January 1863 =