full compliance by said Elizabeth Frances Delashmutt with all the terms of sale and the payment of the whole of the purchase money, the said trustees shall convey to her the real estate so as aforesaid reported as sold to Michael W. Fout, as fully and to the same effect as if she had been the original purchaser thereof.

M. Nelson

Petition of Trustees

Basil Delashmutt, wife & others
vs
George W. Eagle & others

No 3046 In the Circuit Court for Frederick County sitting as a Court of Equity.

To Honorable Madison Nelson Judge of the Circuit Court for Frederick County sitting as a Court of Equity.

The petition of Basil Delashmutt and Thomas R. Jarboe trustees in the above case, shows that they have duly reported to your Honor the sale of all the real estate of William Eagle decd and that said report has been duly ratified and confirmed and the case referred to the Auditor to state an account therein, as will fully appear by the proceedings therein — that your petitioners are the administrators of the goods, chattels and personal estate of said William Eagle decd that the claims proved against said estate are numerous and heavy — that the estate is involved in litigation and was so at the death of the intestate, whereby your petitioners as administrators are prevented for settling up the personal estate of said intestate, and your petitioners are uncertain whether the personal estate will be sufficient for the payment of the whole of the debts of said intestate and they therefore pray your Honor to order and direct the Auditor in stating the account in this case, to audit to your petitioners as trustees One thousand dollars subject to the further order of the Court & your petitioners will ever pray &c.

G. Eichelberger, Sol for Petitioners

Ordered by the Court this 4th day of May 1863 that the Auditor in stating the account in this case allow to the trustees One thousand dollars subject to the future order of the Court.

M. Nelson

Instructions to Auditor

Basil Delashmutt & others
as
George W. Eagle & others

No 3046 In the Circuit Court for Frederick County sitting in Equity.

To Frederick S. Nelson Esq. Auditor, — In stating the account in the above case, you will — 1st charge trustees with gross proceeds of sales, — 2nd allow trustees usual Chancery Commissions, Expenses of sales, taxed costs and to Solicitor $125 for filing bill and various petitions. 3rd Then audit to trustees, subject to the future order of the Court $1000. as per Courts order. 4th This distribute the residue among the heirs at law of William Eagle decd.

G. Eichelberger, Sol for Complainants

Audit

Statement of an account between Basil Delashmutt and Thomas R. Jarboe, trustees in 3046 Equity and the Estate of William Eagle decd.

	$	cts	$	cts
To Amt of trust funds reported — — —			28.575	65
" Trustees 9/10 of usual commission	796	93		
" State 1/10 of same	88.	54		
" B. G. Fitzhugh Clerk's fees —	48	31		
" Zimmerman Sheriffs "	2	80		
" R. G. McPherson Comr. to appt Guardian	4	00		
" Wm. B. Nelson " " take testimony	4	00		
" Solicitor appr. fee —	10	00		
" Grayson Eichelberger filing Bill &c	125	00		