

of this Court and that in default thereof, the land and premises specified and described in the proceedings in this case be sold as prayed and that Grayson Eichelberger he and he is hereby appointed trustee to make such sale and that the course and manner of his proceedings shall be as follows; he shall first file with the Clerk of this Court his bond payable to the State of Maryland, to be executed by himself with approved security in the penal sum of four thousand dollars and conditioned for the faithful discharge of the trust reposed in him by this decree or which may be reposed in him by any future decree or order in the premises he shall then proceed to make sale of the mortgaged premises, having first given at least three weeks public notice by advertisement in some newspaper printed in Frederick and such other notice as he may deem proper, of the time, place, manner and terms of sale, which terms shall be as follows viz: - one third of the purchase money shall be paid on the day of sale and the residue in two equal payments, the one in six and the other in twelve months, from the day of sale, to be secured by the notes of the purchaser with approved security and bearing interest from day of sale, and as soon as may be after such sale, the 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, and on the ratification of such sale and the payment of the whole of the purchase money, and not before, the trustee shall by a good and sufficient deed, to be executed and acknowledged agreeably to law, convey to the purchaser the property so purchased by him free, clear and discharged of all claim of the parties to this cause and of those claiming by, from, or under them and the trustee shall bring into this Court the money and bond, the proceeds of sale, to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit to be taxed by the Clerk and such Commission to the trustee as the 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

Bonds

Know all men by these presents that we Grayson Eichelberger, William J. Preston and James C. Clarke of Frederick County, in the State of Maryland are held and firmly bound unto said State in the just and full sum of four 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 and each of us, bind our 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 A.D. 1862. Whereas by a decree of the Circuit Court for Frederick County sitting as a Court of Equity, bearing date on the 22^d day of January A.D. 1861 and passed in a cause pending in said Court between Joshua Motter and Lewis M. Motter as Complainants and William Melly & others as defendants being N^o. 2901 - on the docket of said Court, the said Grayson Eichelberger has been appointed trustee 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 Grayson Eichelberger do and shall well and faithfully discharge the trust reposed in him by said decree or which may be reposed in him by any future decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force & virtue in law.

Signed Sealed & Deliv^d in the presence
of J^r M. Eberts

Grayson Eichelberger
Wm. J. Preston
Jas C. Clarke



1862 Dec 31. Approved & filed - J^r B. G. Fitzhugh Clerk