Answer of R. H. Marshall

David Amuses and others
vs
Sarah Amuses and others

No 3082 Equity.
In the Circuit Court for Frederick County sitting as a Court of Equity.

This defendant for answer to the bill of Complaint filed in the above cause says that he admits the facts set forth in the said bill of Complaint this willing that a decree shall pass as prayed.

R. H. Marshall

Decree

David Amuses,
John Amuses & others.
vs
Sarah Amuses & others

No 3082 Equity.
In the Circuit Court for Frederick County sitting as a Court of Equity.

February Term 1863.

This cause having been submitted to the Court upon the Bill, Exhibits and answers, which were read and duly considered: It is therefore this 26th day of March in the year Eighteen hundred and sixty three by Madison Nelson Judge of the Circuit Court for Frederick County sitting as a Court of Equity and by the authority of the said Court adjudged, ordered and decreed that the sale of the real estate specified in the agreement filed as Exhibit No 12 in this case be and the same is hereby ratified and confirmed and that all the residue of the real Estate specified and described in the bill, Exhibits and proceedings in this case be sold as prayed and that David Amuses and John Amuses be and they are hereby appointed Trustees to make such sale and to receive the purchase money for the land specified in said Exhibit No 12 and to carry out and complete said contract of sale and that the course and manner of their proceedings shall be as follows — they shall first file with the Clerk of this Court a bond payable to the State of Maryland in the penalty of forty thousand dollars, to be executed by themselves with approved security and conditioned for the faithful discharge of the trust reposed in them by this decree or which may hereafter in them by any future decree or order in the premises — they shall then sell at public or private sale all the residue of said real estate, having given at least three weeks public notice if at public sale by advertisement in some newspaper printed in Frederick and such other notice as they 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 annual instalments to be secured by the bonds of the purchasers bearing interest from the day of sale, with sureties to be approved by the Trustees and on the payment of the whole of the purchase money for the whole of said real Estate and not before, the said Trustees shall by good and valid deed of Conveyance to be executed and acknowledged according to law convey to the purchasers the property so purchased by them free, clear and discharged of and from all claim of the parties Complainants and defendants, to this cause and of those claiming from, by or under them, and as soon as may be convenient after such sales, the Trustees shall make to this Court a full report of their proceedings with an affidavit of the truth thereof and of the fairness of such sales and shall bring into this Court the money and bonds arising from the whole of the sales to be disposed of under the order of the Court among the parties entitled to the same, after deducting therefrom the expenses of sale, the costs of this suit to be taxed by the Clerk & such commission to the Trustees as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust.

M. Nelson

The Bond required by the foregoing decree is recorded in Liber B.G.P. No 5 folio 659 One of the Land Records of Frederick County.