

and duly considered, and the order of publication heretofore passed in this cause, having been duly published and John Wesley Derr the absent defendant therein named, having failed to appear and answer the bill of Complaint.

It is therefore this 13th day of December 1864 by me 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 real estate mentioned and specified in the bill, exhibits and proceedings in this case be sold as therein prayed and that Daniel Derr be 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 a bond to be executed by himself with security to be approved by this Court or the Clerk thereof, payable to the State of Maryland in the penal sum of fifteen hundred 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 make sale of said real Estate at public sale, having first given at least three weeks public notice by advertisement in some news paper printed in Frederick County and such other notice as he may deem proper of the time, place, manner and terms of sale, which terms of sale shall be as follows, One half of the purchase money shall be paid on the day of sale or the satisfaction thereof and the other half in twelve months, to be secured by the bond of the purchaser bearing interest from the day of sale with surety to be approved by the Trustee, and on the payment of the whole of the purchase money and not before, the Trustee shall by a good and sufficient deed of Conveyance to be executed and acknowledged according to law, convey to the purchaser or purchasers the property so purchased by him, her or them free, clear and discharged of and from all claims of the parties Complainant and defendants in this suit, and as soon as may be convenient after such sale, the Trustee shall make to this Court a full report of his proceedings as such Trustee, with an affidavit of the truth thereof and of the fairness of such sale and shall bring into this Court the money the proceeds of such sale, to be disposed of under the order of this Court, among the parties entitled thereto, after deducting therefrom the expenses of sale and costs of this suit, to be taxed by the Clerk and such Commission as this Court shall think proper to allow to the Trustee, in consideration of the skill, attention and fidelity, wherewith he shall appear to have discharged his trust.

M. Nelson

The Bond required by the foregoing Decree is recorded in Liber P. S. D., No 9 folio 247. One of the Land Records of Frederick County.

An Extract of the Inventory of personal property of Daniel Derr dec'd as returned by Daniel Derr Administrator, & also amount of debts docketed against Estate of deceased.

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| The aggregate amount of Inventory of personal property as returned by Administrator | \$ 77.97 |
| The aggregate amount of debts docketed against Estate of dec'd | \$ 97.90 |
| Deficit | \$ 19.93 |

State of Maryland Frederick County to wit:

I hereby certify that the foregoing is a true Extract from the Records in the

Extract from Ophelia Court B.