

no evidence to be examined on the part of the Complainants and they requiring no further time for the production of further evidence, the Commissioner closed the said Commission and herewith returns the same under his hand and seal on the day and year aforesaid,

W^m J. Nelson Com^r

Endorsed - The Execution of the within Commission will appear by certain Schedules thereto annexed.

W^m J. Nelson Com^r

Secur

Abraham Buckwalter & John W. Wright

No 3177

In the Circuit Court for Frederick County sitting as a Court of Equity.

Rebecca J. Walker et al

Jan^y Term 1865

This case having been submitted to the Court upon the bill, answers, Exhibits, Testimony and other proceedings, which were read and duly considered, It is thereupon this 11th day of February 1865, by me Madison Nelson Judge of the Circuit Court for Frederick County and by the authority of said Court, adjudged, ordered and decreed that unless the defendants or any one of them shall on or before the expiration of five days from the date of this decree, pay or bring into this Court, to be paid to the Complainants, the sum of twenty three hundred and sixty seven dollars and five cents with interest thereon from the 17th day of August 1864 until paid, or brought in as aforesaid, together with the Complainants' costs of this suit to be taxed by the Clerk; then the mortgaged premises in the bill, exhibits and proceedings in this case mentioned, be sold, and that Granison Estelberger he and he is hereby appointed Trustee to make such sale and that the manner and course 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 the Court or the Clerk thereof, payable to the State of Maryland in the penal sum of three 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 make sale of said real estate public sale, having first given at least three weeks public notice by advertisement in some newspaper printed in Frederick County and such other notice as he may deem proper, of the time, place manner and terms of sale, which terms shall be as follows, one half of the purchase money shall be paid on the day of sale or the ratification 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 Complainants and Defendants in this cause, 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;

W. Nelson

The Bond required by the foregoing decree is recorded in Liber P. B. P. No 9 folio 351 - One of the Land Records of Frederick County.

no, 1850, 2 years, which, from, where, not, claims, that, by, Preswick, and, in, office, duty, 4 years, and, which, they, and, P. Ellen, during, by, monthly, Exhibit, proper, such, dollars, and, said, Exhibit, being