

This Respondent for answer to said Bill of Complainant answers and says that he admits to be true the allegations in said Bill of Complaint charged and agrees that a decree be passed for the sale of the Real Estate of the said Richard Thomas deceased as prayed for in said Bill

Filed Feb'y 18th 1871 ~

George W Thomas

Decree

Stephen A Thomas in behalf of himself and all other Debtors of Richard Thomas deceased

No 596 Equity

vs Archibald J Shuffen Exr. of the last will of Richard Thomas dec'd and others

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

February Term 1871 ~

The above cause standing ready for a hearing, and being submitted, the Bill, answer, Exhibits, depositions and all other proceedings were by the Court read and considered. ~

It is therefore this 28th day of February, in the year Eighteen Hundred and Seventy One, by the Circuit Court for Frederick County, as a Court of Equity, and by the Authority thereof, adjudged, ordered and decreed, that the land and premises mentioned in these proceedings be sold for the payment of the debts of said Richard Thomas dec'd - reserving the crops now growing on the said land and premises mentioned aforesaid, and that George W Shuffen and George R Stays of Frederick County, be, and are hereby appointed Trustees to make the said Sales, and that the course and manner of these proceedings shall be as follows. They shall first file in the Clerk's Office of this Court a Bond to the State of Maryland executed by themselves with a surety or sureties, to be approved by the Court, or the Clerk thereof, in the penalty of Forty Thousand Dollars, conditioned for the faithful performance of the trust reposed in them by this decree, or which may be reposed in them by any future order or decree in the premises. They shall then proceed to make sale of said real estate, having first given at least three weeks previous notice, inserted in some newspaper printed in Frederick County, and such other notice as they may think proper of the time, place, manner and terms of sale; which terms shall be as follows. - One third of the purchase money, to be paid on the day of sale, or on the ratification thereof by the Court, the residue in two equal annual payments, the purchaser or purchasers giving, her or their notes, with approved security, and bearing interest from the day of sale; and as soon as may be convenient after any such sale, or sales, the said Trustees 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, or sales annexed, and on ratification of such sale or sales, by the Court and on payment of the whole purchase money, and not before, the said Trustees by a good and sufficient deed to be executed and acknowledged, agreeably to law, shall convey to the purchaser or purchasers of the said property, and to his, her, or their heirs, the property to him, her or them sold, free, clear and discharged of all claim of the parties to this cause, and of any person or persons claiming by, from, or under them; and the said Trustees shall bring into this Court the money arising on such sale or sales, and the bonds or notes which may be taken for the same, to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit, and such Commission to the said Trustees as the Court shall think proper to allow, on consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust ~

Filed February 28th 1871 ~

Wm D McQuilley
Wm D. Bowie
John J. Leitch