

No. 5014 Equity

proceedings shall be as follows: They shall first file in the Clerk's office of this Court a bond or bonds to the State of Maryland by themselves jointly or separately with a surety or sureties to be approved by the Court or the Clerk thereof, in the penalty of fourteen 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 the 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 in cash on the day of sale or on the ratification thereof by the Court the residue in one & two years from the day of sale, the purchaser or purchasers giving his, 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 the 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 all, on consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust

John A. Lynch  
Judge of the Cir Court

Filed March 9<sup>th</sup> 1855.

As A Modus & Ottus  
vs  
Dr Jas W. Miller  
& wife

No 5014 Equity  
In the Circuit Court for  
Frederick County  
In Equity

To the Honorable the Judges of the Circuit Court for Frederick County sitting as a Court of Equity

Trustees Report  
of Sale

The report of sale of Joseph A. Miller one of the Trustees appointed by the decree in the above case to sell the real estate decreed to be sold, respectfully shows unto your Honors that after giving bond with approved security as required by said decree and after giving more than three weeks previous notice of the time, place, manner & terms of sale by advertisement in the Catoctin Clarion a newspaper published in Frederick County and by hand bills extensively circulated, he did pursuant to said notice attend on the premises on Thursday the 30<sup>th</sup> day of April A. D. 1855 at one o'clock P. M. and then and there offered said real estate at public sale to the highest bidder and sold the same being a farm containing one hundred and seventy eight acres of land more or less and described in Exhibit No 2 in the above case to Charles H. Miller he being the highest and best bidder therefor at and for the sum of thirty nine & 1/10 dollars per acre reserving the growing crops upon said farm. And the said Cha<sup>s</sup> H. Miller has obligated himself to comply with the terms of sale as appears by his acknowledgment of purchase

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