

W. Bartlett

order.

Mary E. Warburton

This day the defendants appeared by Geo. W. Southall their atty and on their motion leave is given them to file their joint and several answers, and the same is accordingly filed, and thereupon the said depts by their said counsel moved the court to dissolve the injunction heretofore awarded in this cause. And the plt, by W. V. Peachy, his atty, opposed the said motion, ~~and~~ and on his part moved the court to direct the deft Wm S. Spencer herewith to take actual possession of the property embraced by the deed of trust in the bill answer mentioned and proceed to make sale of the perishable portion thereof as soon as reasonable notice of the time & place of such sale can be given, & hold the proceeds of such sale subject to the future order of this court. And thereupon the said motions came on to be heard upon the said bill answer, replication thereto & exhibits filed and was argued by counsel: on consideration whereof the court doth order that unless the plt or some one for him shall within ten days from the date of this order enter into an additional bond with ~~additional~~ security in the penalty of \$1000⁰⁰ conditioned according to law, the said injunction shall stand dissolved as an act of this day: and the court doth further a. o. & d. that upon the execution of the said bond within ten days ^{from} the date of this order, that the deft Wm S. Spencer do forthwith take possession of all the property embraced by the said deed of trust, and that thereupon having given thirty days notice of the time and place of sale ~~according to the terms of said deed~~ ^{at the door of the court house of this county} ~~at the place of sale~~ ^{at the door of the court house of this county} ~~the perishable portion of the~~ ^{the said land} ~~property in the said deed mentioned~~ ^{including the said slaves held by the said Mary E. Warburton for life and the slaves hired by her for the present year} ^{at his own expense} ^{at public auction, to the highest bidder} upon the following terms & conditions: to wit, upon a credit of three months for all sums exceeding \$5⁰⁰ and for all sums of \$5⁰⁰ and under, for cash, taking bonds with sufficient security from the purchasers for all sums upon which the aforesaid credit is given; and that the real estate be sold upon a credit of six months, bond with sufficient security, & a lien on the land retained for the purchase money, and it is further ordered that the said trustee W. S. Spencer make report of his proceedings hereunder to the court, and retain the proceeds of the said sale and the bonds which may be taken therefor in his hands, subject to the future order of this court.

And the plaintiff waives the execution of any bond on the part
of the trustee W. L. Spencer, for the faithful performance or discharge
by him of the duties of said trust.

McDonald
v. Barber
Washington D.C.
30 June 1857

June Term, A. D. 1857.
Gules & Co.
A. P. S.