

Secured

Henry C. Doucife

M. 3180 Equity

In the Circuit Court for Frederick County in Equity,

Albert Howe Jr and  
Mary Ann Howe his wife

The order of publication heretofore passed in this cause having been duly published and the bill Exhibited, answer of Mary Ann Howe and all proceedings being read and considered and the said defendant Albert Howe Jr having failed to appear and answer the bill of Complaint: It is therefore this 11th day of January in the year Eighteen Hundred and sixty five by the Hon. Madison Nelson Circuit Judge for the fourth Judicial Circuit of the State of Maryland and by the authority of the Circuit Court for Frederick County as a Court of Equity adjudged, ordered and decreed that the bill of Complaint be and the same is hereby taken "pro Confesso," as against the now resident defendant Albert Howe Jr and it is further adjudged, ordered and decreed that unless the defendant shall on or before the 19th day of January Eighteen Hundred and sixty five pay or bring into this Court to be paid unto the Complainant the sum of two hundred and twenty five dollars with interest from the 8th day of April Eighteen Hundred and sixty one, and the further sum of six hundred dollars with interest from the second day of April Eighteen Hundred and sixty until paid or brought in as aforesaid together with the Complainant's costs of this suit to be taxed by the Clerk, the mortgaged premises in the proceedings mentioned be sold, &

That Henry C. Doucife Jr of Frederick County 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 in the Clerk's Office a bond to the State of Maryland executed by himself with a surety or sureties to be approved by the Court or Clerk thereof in the penalty of three thousand dollars conditioned for the faithful performance of the trust reposed in him by this decree or which may be reposed in him by any future order or decree in the premises, &

He shall then proceed to make sale of the said mortgaged premises having first given at least three weeks previous notice inserted in some newspaper printed in Frederick County, and such other notice as he may think proper, of the time, place, manner and terms of sale which terms shall be as follows, one third of the purchase money cash to be paid on the day of sale or on ratification thereof by the Court the residue in two equal annual payments, the purchaser or purchasers giving his her or their notes with approved security bearing date on the day of sale with interest four per cent, and as soon as may be convenient after any such sale or sales the said Trustee 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 accepted, & and on the ratification of such sale or sales by the Court and on the payment of the whole purchase money and not before the said Trustee by a good and sufficient deed to be executed and acknowledged agreeably to law, shall convey to the purchaser or purchasers of 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 force or under them, and the said Trustee 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 Trustee as the Court shall think proper to allow on consideration of the skill attention and fidelity wherewith he shall appear to have discharged his trust, &

M. Nelson