

Answer  
of  
H. D. Ordeman

The answer of Herman D. Ordeman one of the defendants to the bill of Complaint of David W. Leathur and others in the Circuit Court for Frederick County sitting as a Court of Equity No 2202 Equity on the Equity Docket. >

This defendant admits the several facts, matters and things charged in said Bill of Complaint, that he claims the money due to him on said mortgages Exhibited in said Bill and that he is willing to have the mortgaged premises sold as prayed he having allowed to him out of the proceeds of said his debt and interest due thereon, and he will submit to such decree in the premises as may be right &c. >

Test. In W. Palmer >

H. D. Ordeman

Trustee Report  
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Seems

David W. Leathur Esq

Lewis N. Harding Esq

No 2202 Equity >  
> In the Circuit Court for Frederick County sitting in Equity  
> Oct Term 1865 >

This cause standing ready for hearing and being submitted without argument the proceedings were read and considered > It is thereupon this 28th day of October in the year of our Lord one thousand Eight hundred and sixty five by and with Madison Nelson Judge of the Circuit Court for Frederick County sitting in Equity, adjudged, ordered and decreed that the real estate mentioned in the proceedings and of which John Leathur of Frederick County died, seized and the owner, he died for the purpose of partition between the parties entitled to the same > That James L. Leathur of Frederick County, he 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 of this Court a bond to the State of Maryland, executed by himself with a surety or sureties to be approved by this Court in the penalty of fifteen 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 real estate, having first given at least three weeks previous notice inserted in some newspaper printed in Frederick City or 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: The purchase money to be paid, and paid upon the day of sale or upon the ratification thereof by the Court and the balance in two equal instalments, in one and two years from the day of sale, to bear interest from the day of sale and the payment thereof to be secured by the bonds of the purchaser with a surety or sureties to be approved by the Trustee, or the whole to be paid in cash on the day of sale or upon the ratification thereof by the Court at the option of the purchaser.

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 annexed. 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 them her or them sold, free, clear and discharged of all claims 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 said