

admits all the facts alleged and set forth in said Bill of Complaint, and is willing a decree for the sale of said real estate shall pass as therein prayed.

Filed Oct 20<sup>th</sup> 1865

Martha W.C. House

Answer of J.C. Cartzendorf

The separate answer of Joseph C. Cartzendorf to the bill of Complaint of the Central National Bank of Frederick filed against this Defendant and others in the Circuit Court for Frederick County, sitting in Equity. This Defendant says for answer that he admits all the facts alleged in said Bill of Complaint and is willing a decree for the sale of said Mortgage property shall pass as prayed.

Filed Oct 12<sup>th</sup> 1865

J.C. Cartzendorf

Decree

The Central National Bank of Frederick.

John Phleger & others

N<sup>o</sup> 3231 Equity.

In the Circuit Court for Frederick County sitting in Equity. July Term 1865

This case standing ready for hearing, and being submitted to the Court without argument upon the Bill, Exhibits, answers, testimony and other proceedings, which were read and duly considered: It is therefore this 14<sup>th</sup> day of October in the year Eighteen hundred and sixty five by Madison Nelson Judge of the Circuit Court for Frederick County sitting as a Court of Equity and by the Authority of the said Court adjudged, ordered and decreed that the real estate specified and described on the Bill and Exhibits in this case, be sold as therein prayed, and that John Phleger be and he is hereby appointed Trustee to make said sale and the course and manner of his proceeding shall be as follows: He shall file with the Clerk of this Court a bond payable to the State of Maryland in the penalty of four thousand dollars, to be executed by himself with approved security and conditioned for the faithful discharge of the trust reposed in him by any future decree or order in the premises. He shall then make sale of said real estate at public sale, having first given at least three weeks public notice by advertisement in some newspaper printed in Frederick County, and such other notice as he may deem proper, of the time, place, manner and terms of sale, which terms shall be as follows, one half of the purchase money shall be paid on the day of sale or the ratification thereof, and the other half in one year from the day of sale to be secured by the note of the purchaser bearing interest from the day of sale, with personal security to be approved by the trustee. And on the payment of the whole of the purchase money, and not before, the Trustee, by a good and valid deed of conveyance to be executed and acknowledged agreeably to Law, shall convey said real estate to the purchaser free, clear, and discharged of and from all claim of the parties to this cause: And as soon as may be convenient after such sale, the trustee shall make to this Court a full report of his proceedings with an affidavit of the truth thereof and of the fairness of such sale, and shall bring into this Court the money and note, the proceeds of such sale, to be disposed of under the order of the Court among the parties entitled thereto, after deducting therefrom the costs of this suit to be taxed by the Clerk and such Commissions as this Court shall think proper to allow to the trustee, in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

Filed October 14<sup>th</sup> 1865

Madison Nelson

Trustee's Bond

Endorsed, Filed November 6<sup>th</sup> and same day recorded in Liber B.C.F. N. 9. folio 360 one of the Land Records of Frederick County. Test. Jos. W.C. Cartz, Clerk