

Petition
of
Samuel Nicholas
et al.

In the Honorable Madison Nelson Judge of the Circuit Court for Frederick County sitting as a Court of Equity

The petition of Samuel Nicholas and Rachel Nicholas his wife, Catharine Cook, Solomon Faulders and Elizabeth Faulders his wife, Joseph Moses and Annand E. Moses respecting shows that on the 15th day of October in the year 1865 they filed their bill of complaint in your Honorable Court against a certain Jan Faulders for the sale of certain real estate therein mentioned that at the time of filing said bill of complaint said Jan Faulders was an unmarried man as will appear by said bill of complaint, No 3264 on the Equity docket of your Honorable Court which with all the proceedings therein are to be taken as a part of this petition and that since the filing of said bill of complaint the said Jan Faulders has intimated with one Theodore Dinsmore and your petitioners pray that said Theodore Dinsmore may be made a party defendant to the said bill of complaint and with his wife may be ordered to answer said bill of complaint and this petition and your petitioners well ever pray.

G. Eichelberger
Att. for petitioners

No 3264 Equity

In the Circuit Court for Frederick County sitting as a Court of Equity. Term Jan 1866.

Ordered by the Court this 5th day of January in the year 1866 that Theodore Dinsmore be and he is hereby made a party defendant to the bill of complaint in this case and that said Theodore Dinsmore and Jan Dinsmore his wife answer said bill of complaint and this petition and that a subpoena issue for said parties.

W. Nelson

Decree

Samuel Nicholas et al
Theodore Dinsmore et al

No 3264 Equity

In the Circuit Court for Frederick County sitting as a Court of Equity. Term Jan 1866

This case standing ready for hearing and being submitted to the Court upon the bill, exhibits, answer and other proceedings which were read and duly considered. It is therefore this 10th day of January in the year eighteen hundred and sixty six 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 in the bill and exhibits in this case and of which Joseph Nicholas died, seized and possessed he sold as prayed and that George Hooge be and he is hereby appointed trustee to make said sale and that the course and manner of his proceedings shall be as follows. He shall first file with the clerk of this Court a bond to be executed by himself with approved security payable to the State of Maryland in the penal sum of three thousand dollars and conditioned for the faithful discharge of the trust reposed in him by this decree or which may be reposed in him by any future decree or order in the premises. He shall then sell said real estate at public sale having first given at least three weeks public notice by advertisement in some newspaper published 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 and the other half in twelve months thereafter and for the deferred payment the purchaser shall execute to the trustee his bond with security to be approved by him and payable twelve months after the day of sale and bearing interest from the date thereof, and on the payment of the whole purchase money and not before, the trustee shall by a good and valid deed of conveyance to be executed and acknowledged agreeably to law, convey to the purchaser the property so purchased by him free, clear and discharged of and from all claims of the parties to this suit, 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 bond, the proceeds of said sale

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Richard B. M