

Decree

Christian Harman and
Mary Susan Harman
his wife and others

William Homes, Samuel
LeHimes and others

No. 3160 Equity
In the Circuit Court for Frederick County in Equity
October Term 1864

This cause standing ready for hearing and the order of publication heretofore passed in this cause having been duly published, and the absent defendant having failed to appear and answer the Bill of Complaint. It is therefore this 28th day of December in the year eighteen hundred and sixty four, 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 non resident defendant Hannah LeHimes. And it is further adjudged, ordered, and decreed, that the Real Estate in the proceedings mentioned be sold - That Christian Harman 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 of this Court a Bond to the State of Maryland, executed by himself, with a surety or sureties to be approved by the Court or the Clerk thereof, in the penalty of Six hundred 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, 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 half of the purchase money cash, to be paid on the day of sale, or on ratification thereof by the Court the residue in one year thereafter, the purchaser or purchasers giving his her or their note with security to be approved by the Trustee, bearing date on the day of sale, with interest from date. 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 said 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 from 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 commissions 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.

Filed December 28th 1864

Madison Nelson

The Trustee's Bond mentioned in the foregoing Decree after having been duly approved by Joseph McLearty, Clerk of the Circuit Court for Frederick County, and filed January 6th 1865 - was the same day recorded in Liber 184 P. 179 folio 346 one of the Land Records of Frederick County.

Test - Charles Maury Clk

Trustee's Report
Of Sales Christian Harman & Mary Susan
Harman his wife and others
William Homes, Samuel Homes et al

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In the Circuit Court for Frederick County
in Equity.
To the Hon. Madison Nelson Circuit Judge