

Deceit

Lycurgus N Phillips
Ex^r of the last Will of
Noah Phillips deceased

vs
Charles Wolfe and others

No 3131 Equity ~

In the Circuit Court for Frederick County, sitting as
a court of Equity. ~

Term 1868

The above cause standing ready for a hearing, and
being submitted, The Bill, Answer, Exhibits, the
agreement of Counsel, depositions and all other proceedings were by the Court read
and considered. It is therefore this 19th day of February in the year 1868 by
the Honorable Madison Nelson, Chief Judge of the 4th Judicial Circuit of the
State of Maryland, and by the Authority of the Circuit Court for Frederick County,
sitting in Equity, and by the authority of said Court, ordered, adjudged and decreed,
that unless the defendant Isaac E Pearson, bring into this Court, to be paid to the Com-
plainant the sum of two hundred and eighty seven dollars and eight cents with
interest from the 4th day of February 1868 and such costs as are properly taxable against
said Isaac E Pearson, on or before the 21st day of February 1868, that the Mortgaged
land and premises mentioned in these proceedings be sold, and that Wm J Ross
of Frederick County, be, and he is hereby appointed a trustee to make the said sale
and that the course and manner of his proceeding 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 Five 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 at private sale for cash, to be paid on the day of sale, or on the ratification
thereof by the Court. ~ 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 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 the 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 persons 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, 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. ~

Madison Nelson

Filed Feb. 19th 1868 ~

Bond

The Bond referred to in the foregoing Decree was duly approved & filed, and same day
recorded in Liber B.L.F. No 9, folio 403 one of the Land Records of Frederick County,
Feb 20th 1868 ~

Test ~ Charles Mantz
Clerk

Agreement

Lycurgus N Phillips Ex^r
of Noah Phillips

vs
Charles Wolfe and others

No 3131 Equity ~
Circuit Court for Frederick County

Statement of debt due complainant,

Report of Sales

Order No