Decree

Randolph Dudrear
Assignee of Geo Wachter
vs
Jacob H Staley

No. 3481 ~ Equity ~

In the Circuit Court for Frederick County ~

February Term 1870 ~

This cause standing ready for hearing and being submitted on Bill, testimony and other proceedings — It is thereupon this 5th day of March 1870, by the Judges 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 defendant pay or bring into this Court to be paid to the Complainants, the sum of seven hundred and thirty five dollars and twenty six Cents, and also the further sum of Eight hundred dollars, the same being the balance of the purchase money due for the real Estate in the proceedings mentioned, together with interest on said first sum mentioned from the first day of April 1869 & interest on said last sum mentioned from the 1st day of April 1868, until the said sums and interest shall be so paid or brought in (less the sum of Eleven dollars and three Cents) and also the Complainants Costs of suit in this Cause, and upon payment of the aforesaid sums of Money with interest and Costs as aforesaid, or the bringing of the same into this Court, the Complainants shall procure the said real estate to be conveyed to said Jacob H. Staley by a good and sufficient deed to be executed and acknowledged according to Law by George Wachter and wife. ~

And it is further ordered and decreed that unless the Defendant shall pay or bring into this Court to be paid, unto the Complainants, the aforesaid sums of money with interest and Costs as aforesaid, on or before the 8th day of March 1870, that then the real estate in these proceedings mentioned, or so much thereof as may be necessary to discharge the Complainants Claim, be sold. And that Milton G. Urner be and he is hereby appointed Trustee, to make such sale; And that the Course and manner of his proceeding shall be as follows, He shall first file with the Clerk of the Circuit Court for Frederick County, a bond to the State of Maryland, in the penal sum of Four thousand dollars to be executed by himself with security to be approved by said Clerk, Conditioned for the faithful discharge of the Trust reposed in him by this decree, or any future decree in the premises. ~ He shall then proceed to make sale of said real Estate, after having first given at least three weeks public notice of the time, place, manner and terms of Sale by advertisement in some newspaper published in Frederick County and by such other notice as he may deem proper; which terms shall be as follows; One half of the purchase money to be paid on the day of sale or the ratification thereof by the Court, the balance in one year from the day of sale, the purchaser or purchasers, giving his her or their notes with security to be approved by said Trustee, bearing interest from date (or cash at the option of the purchasers). And as soon as may be convenient after any such sale or sales, the Trustee shall return to this Court a full and particular report of the same with an affidavit of the truth thereof, and of the fairness of such sale or sales annexed ~ 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

Bm

Forster's

Order