

Decree

Thomas Hammond

No 3540 Equity ~

 vs
 Jacob J. Housk and
 Ann Elizabeth Housk

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

May Term 1871

The above cause standing ready for a hearing, and being submitted, the Bill, Answer, Exhibits, Depositions taken and the Commission, and all other proceedings were by the Court read and considered. ~

It is therefore this 25th day of May in the year 1871 by the Circuit Court for Frederick County, as a Court of Equity, and by the Authority thereof adjudged ordered and decreed, that unless the Defendants shall pay or bring into this Court to be paid unto the Complainant on or before the 1st day of June 1871, the sum of \$400.11, with interest from the 27th day of October 1861 and the sum of \$1706.42 - with interest from the 14th day of January 1869 - And the sum of \$1723.74 - with interest from the 1st day of January 1869 - And the sum of \$1636.09 with interest from the 1st day of January 1870 - And the sum of \$1548.44, with interest from the 1st day of January 1871, be paid or brought in aforesaid - with the Complainant's Costs of this suit to be taxed by the Clerk; that the land and premises mentioned in these proceedings be sold, and that Charles W. Ross and Milton G. Urner of Frederick County, be, and they are hereby appointed Trustees to make the said sales, and that the Course and manner of their proceeding shall be as follows: They shall first file in the Clerk's Office of this Court a Bond to the State of Maryland, executed by themselves with a surety or sureties, to be approved by the Court, or the Clerk thereof, in the penalty of Fifteen thousand Dollars, Conditioned for the faithful performance of of the trust reposed in them by any future order or decree in the premises. They 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 County, and such other notice as they may think proper of the time place, manner and terms of sale; which terms shall be as follows: - One third of the purchase money Cash to be paid on the day of sale, or on the ratification thereof by the Court, the residue in two equal Annual payments, the purchaser or purchasers giving his, her, or their notes with approved security and bearing interest from the day of sale; and as soon as may be convenient after any such sale, or sales, the said Trustees shall return to this Court, a full and impartial account of the same, with an affidavit of the truth thereof, and of the fairness of such sale or sales arranged, 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 Trustees 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 discharge of all claim of the parties to this Cause, and of any person or persons claiming by from or under them; And the said Trustees 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 Commission to the said Trustees as the Court shall think proper to allow, on consideration of the skill attention and fidelity, wherewith they shall appear to have discharged their trust. - Filed May 25th 1871 ~

John A. DeGueh