

Decree

John W. Willhede and  
Anna Willhede his wife & others  
vs  
Sarah Jane Willhede  
Gen. W. Willhede & others

No 357 of Equity.

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

September Term 1840 ~

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

It is therefore this 5<sup>th</sup> day of October in the year Eighteen hundred and Seventy, by the Honorable Judges for the Sixth 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 land and premises mentioned in these proceedings, be sold, for the purposes set forth in the Bill and proceedings, and that John Rouzer of Frederick County, be, and he is hereby appointed a Trustee to make the said sales, 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 four 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, having first given at least three weeks previous notice, inserted in some newspaper printed in Frederick County, 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 third of the purchase money to be paid on the day of sale, or on the ratification thereof by the Court, the residue in one and two Equal Annual payments, in one and two years from the day of sale, the purchaser or purchasers giving his her or their notes, with approved security and bearing interest from the purchase, 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 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 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 commission to the said Trustee, as the Court shall think proper to allow, in consideration of the skill, attention and fidelity, wherewith he shall appear to have discharged his trust. ~

Wm Vans Bond  
John A Lynch  
Judges of the Circuit Court

Filed Oct. 5<sup>th</sup> 1840 ~