

your Honors that the Bill of Complaint in this case was filed for the Sale of Real Property and certain fixtures mentioned in the Bill of Complaint aforesaid and that from the nature of the case a sale is a proper mode of relief your Petitioner further shows that at the final hearing of the case a sale will be ordered as appears by the testimony taken and returned in the said case according to Law and the interlocutory decree heretofore passed therein and your Petitioner further states that the said property is in danger of deterioration in the hands of the said Defendants Joseph and Mary Culbertson who are now in the possession thereof, wherefore she prays that an order may be passed for the Sale of said Property before final decree and that the moneys arising from such sale be deposited or invested to be disposed of as the Court shall direct by final decree

And as in duty bound

Wm. J. Ross
James M. Sherry
Att. for Petitioner

Filed Sept. 8th 1869.

Court's
Order

Cornelia D. Smith
vs.
Joseph Culbertson
Sarah Culbertson
Edward S. Tracy

No. 3421 Equity
In the Circuit Court for Frederick County
sitting in Equity.

May Term 1869.

The foregoing Petition being read and considered and the Court being satisfied clearly by the Proof that at the final hearing of this case a sale of the Real Estate and fixtures mentioned in the proceedings will be ordered and it appearing from the nature of the case that a sale is the proper mode of relief it is therefore this 11th day of September 1869 adjudged ordered and decreed by the Circuit Court for Frederick County sitting in Equity and by the authority of this Court that the Real Estate and fixtures mentioned in the proceedings in this cause be sold and that the moneys arising from such sale be deposited with the Clerk of this Court to be disposed of as the Court shall direct by final decree - that James M. Sherry of Frederick City 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 in the Office of the Clerk of the Circuit Court a Bond to the State of Maryland executed by himself and a surety or sureties to be approved by the Court in the penalty of Ten Thousand dollars conditioned for the faithful performance of the trust reposed in him by any future order or decree in the premises He shall then proceed to make sale of the said mortgaged premises 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 times shall be as follows. One third Cash the balance in equal installments in one and two years from the day of sale the whole of the deferred payments to bear interest from the day of Sale and the payment of said deferred payments to be secured

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