Decree

James C. Clarke
vs.
James C. Easterday & Susan C. Easterday

No. 3958 Equity

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

The above cause standing ready for a hearing and being submitted the bill, answer, Exhibits agreement of Solicitors and all other proceedings were by the Court read and considered and the demurrer to the Defendants answer having been sustained by an order of this Court filed in this cause, It is thereupon this 7th day of December in the year 1874 by the Judges of the Circuit Court for Frederick County as a Court of Equity and by the authority of said Court adjudged ordered and decreed that unless the Defendant shall on or before the 2nd day of February 1875 pay or bring into this Court to be paid unto the Complainant the sum of Four Thousand six hundred and nine two dollars and forty six cents with interest thereon from Sept. 13th 1872 until paid or brought in as aforesaid together with Complainants Costs of this suit to be taxed by the Clerk, the Mortgaged premises in the proceedings mentioned be sold and that Charles W. Rose and J. E. P. Wood of Frederick County be and they are hereby appointed Trustees to make the said sales and that the course and manner of this proceeding shall be as follows: They shall first file in the Clerks 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 Eight Thousand dollars conditioned for the faithful performance of the trust reposed in them by this decree or which may be 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 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 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 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 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 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 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

John A. Lynch
Judge of the Cir Court

Filed Dec 7. 1874

Trustees Bond recorded in Liber C M No. 10 folio 607 (Land Record)