

No. 4404 Equity.

Bill

Henry A. Fushow

No. 4404 Equity.

vs.
Susan E. Wachter
Crouh Wachter & othersIn the Circuit Court for Frederick County,
sitting as a Court of Equity.
May Term, 1879To the Honorable the Judges of the Circuit Court for Frederick County,
sitting as a Court of Equity.

The bill of Complaint of Henry A. Fushow of Frederick County, respectfully shows unto your Honors, that your Complainant being seized and possessed of certain real estate situated in Frederick County, being seventy five acres of land, more or less, adjoining the lands of John S. Casey and others, and also a Mountain lot, adjoining the lands of John W. Miller & others, containing twenty five acres of land, more or less did on the 21st day of August A. D. 1871. Contract with one John Wachter of said County to sell the said land to said John Wachter for the sum of four thousand and fifty dollars, which amount the said John Wachter agreed and obligated himself to pay as follows: three hundred dollars to be paid on or before the first day of September A. D. 1871, and the further sum of Seventeen hundred and fifty dollars on or before the 1st. day of April 1872, and the remaining two thousand dollars was to be paid in four equal annual payments, with interest from the first day of April 1872, and your Complainant agreed and obligated himself to execute to said John Wachter a good and sufficient deed for said land upon the payment of the whole of the purchase money, all of which will more fully appear by reference to said agreement of sale a copy of which is filed herewith marked Exhibit No. 1. and prayed to be considered as part of this bill of Complaint, as fully as if here inserted in words and figures. - that your Complainant gave said John Wachter full and complete possession of said land according to said agreement and was at all times ready to execute and deliver to him a good and sufficient deed therefor, upon the payment of the whole of the purchase money, but the said John Wachter failed to pay the whole of said purchase money although the same has long since been due and payable, and there was a balance of said purchase money due, your Complainant on the 25th day of April A. D. 1877, of two thousand two hundred and thirty six dollars and sixty eight cents, and which said balance is still due to your Complainant with interest from said 25th. day of April A. D. 1877, and your Complainant is advised that he has a Vendor's Lien on said land for the payment of the balance of said purchase money, with interest, and is entitled to have said land sold for the payment of the same. Your Complainant would further show that said John Wachter died intestate in the month of May in the year eighteen hundred and seventy eight, leaving