No. 3803 Equity (Supplemental)

John B. Kunkel surviving partner of John B. and Jacob M. Kunkel
vs
Mary B. Wilhide & others

In the Circuit Court for Frederick County, in Equity.

Final Ratification of Sales

Ordered by the Court this Eighth day of February 1881, that the Report of Sales as made in this cause be and the same is hereby finally ratified and confirmed no cause to the contrary having been shewn although due notice appears to have been given by publication of the order nisi heretofore passed, and it is further ordered that this cause be referred to the Auditor to state an account, and that the Trustee be allowed Commissions in said respective sales made by him, and all expenses for which vouchers are produced.

John A. Lynch
Judge of the Cir. Court.

Filed Feb. 8, 1881

Kundel
vs
Wilhide

No. 3803 Equity

In the Circuit Court for Frederick County in Equity.

Bill of Complaint

To the Honorable, the Judges of the Circuit Court for Frederick County sitting as a Court of Equity.

The Report of Sale of Lewis Crawford, trustee appointed by the decree in this cause to make Sale of the Real Estate therein mentioned, respectfully shows unto your Honors, that your trustee heretofore in this cause sold the property hereinafter mentioned to one John McAffee at and for the sum of one hundred and four dollars and forty cents, that the said sale was duly reported to and finally ratified by your Honorable Court in this cause and that thereupon the said McAffee paid your Trustee in part on said purchase money the sum of thirty four dollars and eighty cents but has never paid the balance of said money or any part thereof. That your Trustee is informed that the said John McAffee afterwards sold the said Mountain lot to one George L. Fox and that the said George L. Fox afterwards sold said lot to Frederick White in his lifetime sold lot to George W. Pryor, Your Trustee is further informed that the said John McAffee has left the State of Maryland, and does not now reside therein, and that the said George L. Fox has absconded and his whereabouts are unknown, and that the said Frederick White and the said George W. Pryor are now deceased, but that neither of the said parties have paid any additional or further portion of said purchase money other than the amount above stated, Your Trustee further shows that on the 20th day of Oct. 1890, he filed a petition in this cause stating the above facts, with exception of the sale of said lot by Frederick White to George W. Pryor and the death of said Pryor, and praying your Honors to pass an order directing your Trustee to resell said property, unless the said McAffee should come in and pay the balance of the purchase money on or by some day to be named by your Honors in said order, That thereupon on the 20th day of October in the year 1891 your Honors passed an order requiring the said John McAffee to pay said balance of purchase money by the first day of Nov 1891, and in default thereof, your trustee was directed to resell said property at public or private sale as in his judgment he might deem best for the highest price that could be obtained for the same upon the terms of the original decree or for cash. That the balance of said purchase money and the interest thereon amounts to the sum of one hundred and Ninety ✕ dollars and the said John McAffee having defaulted in paying the same or any part thereof your Trustee has this 12th day of March 1894, sold said property described in the memorandum of purchase