

No. 4608 Equity

John H. Youngling & wife and others

vs

David J. Frost & wife & others

No. 4608 Equity
In the Circuit Court for Frederick's
County, sitting as a Court of Equity.
May Term, 1880.

The above cause standing ready for a hearing, and being submitted, the Bill, answer, Exhibits, depositions and all other proceedings were by the Court read and considered. It is therefore this 15th day of September in the year Eighteen Hundred and eighty, by the Circuit Court for Frederick's County, as a Court of Equity, and by the Authority of said Court, adjudged, ordered, and decreed, that the Land and premises mentioned in these proceedings be sold, and that Jador A. Youngling of Frederick County be and he is hereby appointed Trustee to make the said sales, and that the course and manner of his proceedings shall be, as follows:

Decree
for sale

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 Forty 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 in cash, 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 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 the 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 deduction of therefrom, the costs of this suit; and such Commission to the said Trustee, as the Court shall think proper to allow, on consideration of the skill, attention, and fidelity, whereunto he shall appear to have discharged his Trust.

Filed Sept. 15, 1880

John A. Caperch
Judge of the Cir-Court.

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