

No. 4739 Equity

John Rouzer
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Susan Biely, Widow and Susan Biely Admtr. of John Biely, John B. Biely wife and others

No. 4739 Equity
In the Circuit Court for Frederick County, sitting as a Court of Equity.

February Term, 1882.

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 the order of publication heretofore passed in said Cause, giving notice to the absent Defendants having been duly published as required by law, as appears by the Certificate of the printer herewith filed, and the non-resident Defendants having failed to appear, and answer the Bill of Complaint, it is therefore this 22nd day of April 1882, by the Circuit Court for Frederick County, sitting as a Court of Equity, adjudged, ordered, and decreed that the said Bill of Complaint be, and the same is hereby taken pro confesso against the said non-resident defendants, and it is further, by the Circuit Court for Frederick 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 Lewis Crawford of Frederick County, be, and he is hereby appointed Trustee to make the said sale, and that the course and manner of his proceedings shall be as follows: 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 Two thousand Dollars, conditioned for the faithful discharge 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 payments, in six and twelve months thereafter, the purchaser or purchasers, giving his, hers, or their notes, with approved security, and bearing interest from the day of sale; and at 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 any 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 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 deducting 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 Bill, attention and fidelity, wherewith he shall appear to have discharged his Trust; John A. Lynch
Filed April 22, 1882. Judge of the Circuit

Decree to sell realty

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