No 5395 Equity

Order of Publication — No 5395 Equity — In the Circuit Court for Frederick County, in Equity. Elias Grofsnickle vs Allen J. Eccard and Cyrus L. Eccard —

Copy of Order of Publication

The object of this suit is to procure a decree for a sale of certain lands situate in Frederick County, State of Maryland, sold by the Plaintiff Elias Grofsnickle to the Defendants Allen J. and Cyrus L Eccard for balance of purchase money due thereon. The Bill state that on the 12th day of February 1876 the Plaintiff, Elias Grofsnickle and the defendants entered into a written agreement for the sale and purchase of a tract of land situate in Frederick County, State of Maryland, being a part of a tract of land called "The range about the Three Miserable Knobs", containing 124 acres of land, at and for the sum of Three Hundred dollars — That the defendants Allen J. and Cyrus L Eccard paid to the said Plaintiff the sum of One Hundred dollars, leaving a balance of Two Hundred dollars, leaving a balance of Two Hundred dollars with interest from the first day of March 1879, still due, owing and unpaid and which the Defendants have neglected and refused to pay — That Allen J Eccard, one of the Defendants is a resident of this state, but Insolvent, and that Cyrus L Eccard, the other defendant, is a non-resident having removed from this State several years ago. That the Plaintiff has no adequate remedy at law and that the balance of the purchase money is an Equitable lien to be enforced in Equity by a sale of said land — It is thereupon this 21st day of February 1888, adjudged and ordered that the Plaintiff by causing a copy of this order to be inserted in some Newspaper published in Frederick County, once in each of four successive weeks before the second day of April 1888, give notice to the said Cyrus L Eccard the absent Defendant of the object and substance of this Bill and warn him to appear in this Court in person or by Solicitor, on or before the seventh day of July next to answer the premises and show cause, if any he has, why a decree ought not to pass as prayed

Filed February 21st 1888 —

W Irving Parsons
Clerk of the Circuit Court for Fred'k Co

True copy — Test:—
W. Irving Parsons, Clerk

Printer's Certificate.

Office of "The Catoctin News",
Walkersville, Md March 16, 1888

This is to certify, that the annexed Order of Publication was published in "The Catoctin News", a Newspaper published in Frederick County once a week for Four successive weeks prior to the 2nd day of April, 1888.

Stotelmyer & Biser — pr's.

Answer of Defendants

Elias Grofsnickel
— vs —
Allen J. Eccard & Cyrus L Eccard

No 5395 — Equity —
In the Circuit Court for
Frederick County, in Equity —

To the Honorable the Judges of the Circuit Court for Frederick County in Equity — The Joint and several Answers of Allen J and Cyrus L. Eccard to the Bill of Complaint in this Court against them exhibited — These Defendants Jointly and severally answering Say: That they consent to the passage of a Decree as prayed and admit to be true as therein stated the Material Averments of the Bill —

Wm P Maulsby Jr
Sol for Defts.