

No. 6023. Equity

Deceit

Bentley }  
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Harrell et al } In the Circuit Court for Frederick County, sitting as a Court of Equity.

March Term, 1893

The above cause standing ready for a hearing, and being submitted, the Bill, Answer, Exhibits, evidence and all other proceedings were by the Court read and considered. It is therefore, this 23<sup>rd</sup> day of March in the year Eighteen hundred and ninety three, by the Circuit Court for Frederick County as a Court of Equity, and by the Authority of said Court, advised, ordered and decreed that the defendants on or before the 25<sup>th</sup> day of March A.D. 1893 bring into this Court the sum of \$175.<sup>00</sup> and interest thereon from August 20<sup>th</sup> 1891 and the Costs of this proceeding and upon the failure of the defendants to bring into Court such money that their said mortgaged premises or so much as may be necessary be sold and that John C. Motter and F. Marion Stamble of Frederick County be, and they are hereby appointed Trustees to make the said sales, and that the course and manner of their proceedings shall be as follows: they shall first file in the Clerk's office of this Court a Bond to the State of Maryland, Executed by them with a surety, or sureties, to be approved by the Court or the Clerk thereof in the penalty of twenty four hundred Dollars, Conditions for the faithful performance of the trust reposed in them by this Decree, or which may be reposed in them by any future order or decree in the premises they 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 they may think proper of the time, place, manner and terms of sale, which terms shall be as follows: One half 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 one year from date the purchaser or purchasers giving his, her, or their state, with approved security and bearing interest from the day of sale, and as soon as may be convenient after such sale or sales, the said Trustees 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 payment of the whole purchase money, and not before, the said Trustees by assent 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 their heirs sold free, clear, and discharge of all claim of the parties to this cause, and of any person or persons claiming by, from or under them: and the said Trustees 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 Trustees as the Court shall think proper to allow on consideration of the skill, attention and fidelity wherewith they shall appear to have