

## No. 699 3 Equity.

Decree

The above cause standing ready for a hearing, and being submitted, the Bill, Answer and Exhibits and all other proceedings were by this Court read and considered. It is thereupon this 13th day of March 1899 by this Circuit Court for Frederick County, as a Court of Equity, adjudged, ordered and decreed that the defendants, forthwith, pay or bring into this Court to be paid unto the plaintiff the sum of three hundred and Twenty Two Dollars the same being the balance of purchase money due for the land and premises in the proceedings mentioned together with interest thereon from the 17th day of November, 1898, until so paid or brought in and the plaintiff's costs of suit to be taxed by the Clerk and that upon payment of the aforesaid sum of money with interest and costs as aforesaid or bringing the same into this Court, the plaintiff by a good and sufficient deed to be executed and acknowledged agreeably to law, shall convey unto the said defendants and their heirs the land and premises in the proceedings mentioned and described as sold by the said plaintiff to Devise A. Luigg, deceased, in his lifetime and all the right, title, interest and estate of the plaintiff in and to the same. And it is further adjudged, ordered and decreed that, unless the defendant shall pay, or bring into this Court to be paid unto the plaintiff the aforesaid sum of money, with interest and costs, as aforesaid, on or before the 25th day of March 1899, that the aforesaid land and premises mentioned in these proceedings be sold and that Eugene L. Rowe 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; he shall first file in the Clerk's office of this Court, a bond to the State of Maryland, executed by him with a surety, or sureties, to be approved by the Court, or the Clerk thereof, in the penalty of fifteen hundred Dollars, conditioned for the faithful performance of the trust reposed in him by this decree or which may be reposed in him by any further order, or decree in the premises, he shall then proceed to make sale of the said Real Estate, having first giving 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 six and twelve months from the day of sale, the purchaser or purchasers giving his, her or their notes, with approved security, and bearing interest from the day of sale, or all cash at the option of the purchaser or purchasers and as soon as may be convenient after any such sale or sales, 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, and to him, her or them sold, free, clear, and discharged of all claims 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 skill, attention and fidelity wherewith he shall appear to have discharged his trust.

John C. Mottler.

Filed March 13th 1899.

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