

Ordered by the Court this 31<sup>st</sup> May 1862 that the complainants in this cause have leave to examine Margaret Flanigan one of the defendants as a witness in this cause

Mo. Nelson

Thomas Flanigan } No 3019  
 vs  
 John Oates and wife et al }

We hereby agree that a decree may pass in the above cause for a sale of the property mentioned in the bill reserving the question of the respective rights of the parties in the distribution of the funds arising from the sale to be controverted upon the Audit

August 3<sup>rd</sup> 1862

James M<sup>c</sup> Sherry  
 Solicitor for Complainant  
 Geo. K. Nelson Sol<sup>t</sup> for def<sup>t</sup>

Thomas Flanigan } In No. 3019 Equity  
 vs  
 John Oates & Mary Oates } In the Circuit Court  
 Margaret Flanigan & John Flanigan } for Frederick County  
 sitting in Equity

This cause standing ready for hearing and being submitted without argument on the bill, answers testimony and agreement of counsel the proceedings were read and considered. It is thereupon this 8<sup>th</sup> day of August in the year of our Lord Eighteen Hundred and sixty two by the Hon. Madison Nelson Circuit Judge, of the third Judicial Circuit of the State of Maryland sitting in the Circuit Court for Frederick County in Equity and by the authority of this Court adjudged, ordered and decreed that James M<sup>c</sup> Sherry of Frederick City Frederick County, be and he is hereby appointed and substituted Trustee under the deed of trust in the proceedings in this cause, mentioned and filed in place of Patrick O'Neil deceased that the real estate mentioned in said proceedings be sold by the said Trustee and that the cause and manner of his proceedings shall be as follows. He shall first file in the office of the Clerk of this Court a bond to the State of Maryland in the penalty of five thousand dollars executed by himself with a surety or sureties to be approved by the Court or the Clerk thereof conditioned for the faithful performance of the trust reposed in him by this decree or which may be imposed in him by any future decree or order in the premises. He shall then proceed to make sale of the said real estate selling the same in whole or in parcels as he may most advantageously, having given at least three weeks previous notice inserted in some newspaper published in Frederick City and such other notice as he may think proper of the time, place, manner and time of sale, which terms shall be as follows: The purchase money shall be paid one third cash