

personal estate of said Thomas Hammond, including in such designation the value of the Real Estate devised by the said Thomas Hammond to be sold for the payment of his debts is ample to pay all the debts of him the said Thomas Hammond and the Respondents ask and insist that the assets of said Estate shall be marshalled according to law and they claim the right in case the assets of said Estate first liable for the payment of said debts should not be sufficient therefor to pay their contributive share of the debts then remaining unpaid and when their said specific devise therefrom and reserving such right they are willing that a decree shall be passed for the sale of the Real Estate of said Thomas Hammond dec'd. These Respondents admit they are in possession of the land devised to them by said Will and that they have a valuable interest therein under said Will. These Respondents further admit that if said Thomas Hammond had died intestate as to the lands mentioned in said deed to Dawson V. Hammond then the parties described in said bill would be the heirs at law of said Thomas Hammond together with Nathaniel Hammond & Carroll Hammond brothers of one of these Respondents Louisa Kniffitt & the children of John Hammond dec'd a brother of said Thomas Hammond dec'd none of whom are made parties to said bill  
Filed Oct 23, 1878.

Milton G. Warner  
Dea J. Nelson  
Sol for Respondents

Heardt (and) Keefer  
vs  
Dawson V. Hammond  
Ex. vs

No. 4183. Equity  
In the Circuit Court for Frederick  
County, sitting as a Court of Equity  
Term 187.

Decree of the Court  
of the land  
The above cause having been submitted after argument the Bill Answer Exhibits Testimony and all other proceedings having been by the Court read and considered, it is thereupon this 29<sup>th</sup> day of October A. D. 1878, adjudged ordered and decreed by the Circuit Court for Frederick County, as a Court of Equity and by the authority thereof that the lands mentioned in the proceedings be sold (except the lands decreed by this Court to belong to Mrs. Charlotte C Wood and Burgess Hammond) and that Dawson V. Hammond Esq. of Frederick County be and he is hereby appointed Trustee to make said sales and the manner and course of his proceedings shall be as follows: He shall first sell all of said lands except the Home Farm which he shall reserve until the other lands have been sold and reported to this Court, and before making any of said sales the said Trustee shall file with 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 Forty Thousand dollars, conditioned for the faithful performance of the Trust, imposed in him by this Decree or which may be imposed in him

Petitioner  
Court's order