

No. 4590 Equity

Qth Int. - State whether said Real Estate is susceptible of advantageous division among the Children and heirs of said Ann Clay, and if not, would it be to the interest and advantage of said heirs, that the said Real Estate should be sold, and the proceeds divided among said heirs? State fully herein?

Qth Ans. - No sir, it cannot be so divided because it is too small a tract and does not lie so as to be divided without loss and injury. It would be to the advantage of the heirs to have the land sold and the proceeds divided among them.

Whereupon, there being no other witnesses present to be examined and, no further time being required for the production of evidence, the Commissioner closed the said Commission and herewith returns the same under his hand and seal this third (3d) day of June A.D. 1882, Clayton O. Keedy Commissioner.

Costs of Foregoing Commission.

Clayton O. Keedy, Commissioner fee \$ 4.00
Joseph Wood, witness, attendance .75
\$ 4.75

Filed June 30, 1882.

Clayton O. Keedy

Theodore A. Clay
John C. Clay, et al

No. 4590 Equity
In the Circuit Court for Frederick County,
Sitting as a Court of Equity.
May Term, 1882.

The above cause standing ready for a hearing, and being submitted, the Bill, Answer, Exhibits and testimony and all other proceedings were by the Court read, and considered. It is therefore, this 31st day of August in the year eighteen hundred and eighty two, by the Circuit Court for Frederick County, as a Court of Equity, and by the Authority of said Court, adjudged, ordered, and decreed, that the land and premises mentioned in these proceedings be sold; and that John C. R. Wood, of Frederick County, be, and he hereby appointed Trustee to make the said sale, 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 seven hundred Dollars, conditioned for the faithful performance of the trust reposed in him, or which may be reposed in him by any future order, or decree in the premises. He 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 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, or 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; and as soon as may be convenient after any such sale, or sales, the said Trustee 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 the payment of the whole

Hence