

No. 4317 Equity.

Joshua Toms

Jacob Toms and Mary Toms his wife et al

No. 4317 Equity
In the Circuit Court for Frederick County, as a Court of Equity.
February Term 1881.

Order

The foregoing Petition having been read and considered, it is thereupon this 28th day of April, A. D. 1881, by the Circuit Court for Frederick County as a Court of Equity, adjudged, and ordered that this case be proceeded with, as if the death of said Mary Toms had not occurred.

Filed April 28, 1881.

John A. Lynch
Judge of the Circuit

Joshua Toms

Jacob Toms, Isaiah J. Toms & wife et al

No. 4317 Equity,
In the Circuit Court for Frederick County, sitting as a Court of Equity.
February Term 1881.

Decree.

The above cause, standing ready for hearing and being submitted, the Bill, Answer Exhibits, and all other proceedings were by the Court read and considered.

It is thereupon, this 28th day of April in the year Eighteen hundred and eighty one 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, for the purpose of distributing the proceeds thereof, as indicated by the bill and proceedings in this cause, and that Milton G. Turner and Charles W. S. Levy of Frederick County, be and are hereby appointed Trustees to make the said sale, 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 or 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 six thousand Dollars, conditioned 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 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 two equal annual payments from 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 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 executed, 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 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 to him, her, or them sold, free clear and discharged

Report
Sale

Trustee
fiduciary