

No. 4818 Equity

Filed Sept. 1892

- Coraelia Bartholow
- John B Bartholow
- Mary M Bartholow
- Mary A Buckingham
- E H Buckingham
- Mo Ella Buckingham
- E Florence Buckingham
- Wm J Buckingham
- John B Buckingham

In the Matter of the Petition of Francis J Bartholow legatee of John Bartholow decd

No 4818 Equity In the Circuit Court for Frederick County In Equity

The above Cause standing ready for hearing and being submitted. The Petition Affidavit and Exhibits and all the other proceedings were by the Court read and considered. It is therefore this 8<sup>th</sup> day of September 1892. by the Circuit Court for Frederick County sitting as a Court of Equity, and by the authority thereof adjudged ordered and decreed that the lands and premises in these proceedings mentioned be sold by Francis J Bartholow as Trustee for the purposes expressed by the last will of John Bartholow decd, he having failed by his said will to appoint an Executor to carry out said Trust. And that the Cause 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 in the penalty of Fifteen Thousand dollars, executed by himself with security 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 reposed in him by any future order or decree in the premises. He shall then proceed to make sale of the said real estate either at public or private sale and if at Public sale he shall first give 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 on the day of sale, or on the ratification thereof by the Court, the residue in two equal annual payments, 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 proceeds of such sale or sales annexed, 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 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 or their heirs, the property to him, her, or them sold free, clear and discharged of all claim 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 the suit, and such Commission to the said Trustee as the Court shall think proper to allow, in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

Decree

Filed Sept 9. 1892.

John A Lynch Judge of the Cir. Court

Trustee Report of

See app. Valuat follows

Order