

No. 4941 Equity

prayed. Dated this 17 day of November 1883

Adolphus Fearhake Jr

Filed November 17, 1883. This is to certify that the original order of publication was published in the Examiner a newspaper published in Frederick County, once a week for four successive weeks prior to the 11th day of December 1883. Clerk of the Circuit Court for Frederick County

Estalina Gallett & others

vs

Maria Brock widow & others

No 4941 Equity

In the Circuit Court for Frederick County  
In Equity

Affidavit of  
Chas W Ross

Be it remembered that on this nineteenth day of November 1883 before me the Subscriber Clerk of the Circuit Court personally appeared Charles W Ross Atty for the Plaintiffs in the above entitled cause, and did make oath in due form of law, that as attorney for the Plaintiffs who are seized in fee as tenants in Common with the defendants of the land described in the Bill of Complaint he has filed a Bill of Complaint on the Equity side of the Circuit Court for Frederick County for a sale of the lands mentioned in said Bill for the purpose of dividing the proceeds of the sale of the said Land among the parties interested, that all of the parties interested in said suit are willing that a decree be passed for the sale of said lands but that no agreement can be made because some of the parties interested are infants so affiant has been informed and believes that said affiant has been informed and believes that the parties interested in said lands have had an offer for the same which they are willing to accept, but could not affect a Sale because some of the parties interested, are on account of infancy unable to contract and that the only means of obtaining title to the lands in said suit mentioned is by a decree to be passed for a sale of said lands, that affiant believes that at the final hearing of said cause a sale will be ordered because from the nature of the case a sale is the proper mode of relief.

Test Adolphus Fearhake Jr

Clerk

Filed Nov 19, 1883.

Estalina Gallett & others

vs

Maria Brock widow & others

No 4941 Equity

In the Circuit Court for Frederick County, sitting as  
a Court of Equity September Term 1883

Order of Court  
for Sale before  
final decree

The Court being satisfied by the proof offered in this cause and the inspection of the proceedings in said cause that at the final hearing of the case, a sale will be ordered will pass an order directing the sale of the land in these proceedings mentioned before final decree. It is therefore this 19th day of November in the year eighteen hundred and eighty three by the Judges of 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, either at public or private sale and that the moneys arising from such sale be deposited as herein after directed, to be disposed of as the Court shall direct by final decree and that Charles W Ross of Frederick County, be, and he is, hereby appointed Trustee to make the said sales, 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 Eight thousand Dollars conditioned for the faithful performance of the trust reposed in him by this order, 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, 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 in cash 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