

No. 5042 Equity

George W. Hachtel

vs
Mary A. Gaver, Ohio J. Gaver et al
Execs of Joseph Gaver decd and others

In the Circuit Court for Frederick County

Sitting as a Court of Equity

February Term 1885

Upon application made to the Court by the Plaintiff in the above entitled cause and his Petition together with the proof in the cause having been read and considered by the Court and it appearing clearly to the Court from the proof in the cause that at the final hearing of the cause a sale of the real estate mentioned in the Bill will be ordered and that the interest and advantage of all the parties will be promoted by a sale of the same before final decree.

It is therefore, this 21st day of February in the year eighteen hundred and eighty five 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 subject to the dower interest of Mary A. Gaver the widow mentioned in this cause and reserving the crops now growing on said land, and that George W. Hachtel and Clayton O. Kelly of Frederick County be, and they are hereby appointed Trustees to make the said sales, 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 a 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 fifteen 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:

Order
Appointing
Trustees to sell
before final decree

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 one and two years from day of sale in two equal installments 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 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 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 of all claim of the parties to this cause, and of any person or persons claiming by, from or under them; and the said trustees 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 this suit, and such commission to the said Trustees as the Court shall think proper to allow, in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust. And it is further ordered by the Court that the Trustees bring the proceeds of said sale into Court to abide its order and to remain there until the time of final decree.

Trustees
of sales

Geo. Ritchie
John J. Vinson

Judges of the Circuit Court

Filed February 21. 1885.