

No. 4804 Equity

situated in said Frederick County or elsewhere, including all their interest in a piece of land leased from the Western Maryland Rail Road Company on which now stands the Fertilizer Factory known as the "Chesite Fertilizer Works" and including said factory and all the Machinery thereof and therein, the said Julia C. Cassell, running, only her potential right of dower in the premises on which she and her said husband now reside, and for the sale of which a decree has passed by the Circuit Court for Frederick County as a Court of Equity and the said Charles E. Cassell doth also grant, bargain, sell, assign, and transfer unto said Jan B. Oler, as trustee, as aforesaid, the household goods furniture, implements, debts, sums of money, books of account, and all the personal estate of whatever kind, of him, the said Charles E. Cassell including any surplus proceeds of sale that he may be entitled to arising from the sale of the premises which have already been decreed to be sold as hereinbefore set forth, excepting only so much and such parts thereof as may be exempt from execution the laws of the state of Maryland, to have, hold, and take the same, upon trust that he, do, and shall, as soon as conveniently may be, make sale, of so much thereof, as may be saleable for the best price that can be reasonably had for the same at either public or private sale, and upon such notice, and at such place and on such terms, as the said trustee may deem best, and collect, as much thereof, as is outstanding and not saleable. And is hereby declared, and agreed, that the said Jan B. Oler, shall stand possessed of the moneys from such sales, and to be collected, as aforesaid, in trust for the following purposes that is to say, in the first place, to pay and reimburse himself, all costs, charges, and expenses, as may be incurred, in the execution of the trusts hereby created, including all counsel fees for advice, and services rendered him in the execution of the trust, and in reporting his sales for ratification, together with a commission of ten per cent to the said trustee, and the sum of fifty dollars the costs of these presents, and then in trust to apply the residue of the said moneys, in payment of the several liens upon the property hereby conveyed, paying the respective liens out of the proceeds of sale, of such property, as they may be liens upon respectively, and in the order of the legal priority and according to their legal effect, and then in trust to apply the residue of the said moneys in payment of the several debts due to the creditors of him the said Charles E. Cassell, pari passu and without any preference or priority of payment except such as is created by law. And after payment and satisfaction of such liens, debts, costs and expenses, then in trust to pay the surplus if any, to said Charles E. Cassell his executors, administrators or assigns. And for the consideration and purposes aforesaid, the said Charles E. Cassell doth appoint, the said Jan B. Oler his attorney in his name or otherwise to liquidate, all accounts relating to the premises, and to collect all the debts and sums of money hereby assigned, and discharged for the same to give and to compound for, any dubious debts, and further to do all other acts requisite to be done in the premises, the premises, the said Jan B. Oler to be charged with his receipts, payments, acts and willful defaults only, and shall not be charged for any sums of money other than such as shall come to his hands, nor with any loss which may

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