No 4277 Equity

On this 31st day of July A.D. 1877 the above named Edward A Gittings appeared before me, the Commissioner, and made oath that the matters and things stated in the foregoing Answer are true, to the best of his knowledge and belief.

John S. Rapp. Commissioner

And on the 4 day of August 1877. a Commission to take testimony was issued to William B. Nelson and John E. R. Wood, and said oath testimony taken was returned by William B. Nelson Commissioner & filed August 6. 1877

Decree

Thomas Turner Anderson & William Anderson by Rebecca Turner their next friend vs George W. Smith et al

No. 4277 Equity.

In the Circuit Court for Frederick County sitting as a Court of Equity. May Term 1877.

Report

The above cause standing ready for a hearing and being submitted the Bill, Answer Exhibits and Evidence and all other proceedings were by the Court read and considered It is thereupon this 6 day of September in the year Eighteen hundred and seventy seven by the Circuit Court for Frederick County as a Court of Equity, and by the authority of said Court, adjudged ordered and decreed that of the land and premises mentioned in these proceedings so much be sold as may suffice to pay the liens which exist upon said property mentioned in the Bill in full together with all taxes due on said land and the costs of these proceedings and in the event that said Trustee shall discover that a part of said property can not be sold except at a sacrifice then he shall sell the whole of the lands in Bill mentioned and that William P. Maulsby Jr of Frederick County be and he is hereby appointed Trustee to make the sales and that the course and manner of his proceedings shall be as follows— He shall first file in the Clerks 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 twenty thousand dollars 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 having first given 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 six and 12 months from day of sale or ratification 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 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 Trustee by a good and sufficient deed to be executed