

No. 4865 Equity
 the decision in *Glenn vs Bell*. "John Hays made his last will on January 19th 1867, by which, after some special bequests, he gave and bequeathed "all the rest and residue of his personal estate of every description, money, bonds, notes xxxxxx and all other personal property of every kind and description to his wife Ann Maria Hays". Mrs. Hays died a short time before her husband, John Hays. Among the personal assets of John Hays, the husband, were certain United States bonds, which were not specifically bequeathed. The Court held, that the bonds passed under the residuary clause of the will to the wife: and she having died in the lifetime of the testator, they passed at his death to her representatives by virtue of the provision of the Code Art 93. Sec 204 so in this case, now under consideration, the land passed under the will of Mrs. Correll to her husband: and he having died in the lifetime of his wife, it passed at her death, to his heirs at law.

The Complainants and defendants being the heirs at law of Frederick Correll, and the real estate, not being susceptible of an advantageous division among them, the Court will pass a decree for a sale of the land, as prayed for in the Bill.

John A. Lynch
 Judge of the Cir. Court.

Apr. 26. 1884

Revised April 28. 1884

Decree

Joshua Correll
 John Correll and others
 @
 William A. Correll
 wife

No. 4865 Equity
 In the Circuit Court for Frederick County
 sitting as a Court of Equity.
 March Term 1884.

The above cause standing ready for a hearing, and being submitted, the Bill, Answer, Exhibits and testimony and all other proceedings were by the Court read and considered and the Court having filed an opinion thereon. It is thereupon this 26th day of April in the year Eighteen hundred and Eighty four by 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 for the purposes set forth in the Bill filed in this cause, and that John C. D. Wall Esq. of Frederick County be, and he is hereby appointed Comptroller to make the said sale, 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, entered by himself with a surety or sureties, to be approved by the Court or the Clerk thereof, in the penalty of one thousand dollars, conditional 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-half of the purchase money to be paid in cash on the day of sale, or on

Revised