

No. 5712 Equity

Decree

Barbara A. Birly }  
Samuel M. Birly et al }

No. 5712 Equity  
In the Circuit Court for Frederick County  
sitting as a Court of Equity.  
September Term 1888

Trustee Report  
of Sales

The above cause standing ready for a hearing and being submitted, the Bill, Answer, Exhibits & testimony and all other proceedings were by the Court read and considered. It is therefore, this 12<sup>th</sup> day of September in the year Eighteen hundred and ninety 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 out in the Bill in this case and that Samuel M. Birly Esq. of Frederick County, be and he is hereby appointed Trustee 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 him with a surety or sureties, to be approved by the Court, or the Clerk thereof, in the penalty of five 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 half 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 year, 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 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, freed clear and discharged of all claims of the parties to this cause, and of any person or persons claiming by, from, or under them: and the said Trustee 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 Trustee as the Court shall think proper to allow, on consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

John A. Lynch  
Judge of the Cir. Court

Filed Sept. 12. 1890.

Exhibit B.  
& Report.

Trustee Bond duly approved by Clerk and Recorder in Bond Record Lib. N. S. O. No. 1. Dollars