No. 6400. Equity.

Decree.

Albert B. Holtz and others. } No. 6400. Equity.

vs.

Benedict M. M. Holtz and others } In the Circuit Court for Frederick County, sitting as a Court of Equity.

Term, 1895.

The above cause standing ready for a hearing, and being submitted, the Bill Answers Exhibits affidavits and all other proceedings were by the Court read and Considered,

It is thereupon, this 29th day of July in the year Eighteen hundred and ninety five 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, the right of the parties hereto to partake maintain and visit the family burial ground on the farm of 118 acres being reserved - and also the tenants, share of growing Corn and that Glenn H. Worthington of Frederick County, be, and he is hereby appointed trustee to make the said sales, and that the Course and manner of this proceeding shall be as follows, he shall first file in the Clerks Office of this Court a Bond to the State of Maryland, executed by himself with a surety, or sureties, to be approved by the Court, or the Clerk thereof, in the penalty of Ten 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 remainder in one year the purchaser or purchasers giving his, her, or their notes with approved security and bearing interest from the day of sale or all Cash at the option of the purchaser 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 aforesaid, 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, free Clear, and discharged of all Claim of the parties to this Cause, and of any person Claiming by from, or under them, and the said Trustee shall bring into this Court the money arising on such sales 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.

Jas. McSherry.

Filed July 29th 1895.