

Decree.

No. 6498 Equity.

Gertrude B. Gallagher

vs

Gallagher B. Gallagher & Mr. J. O'Brien Jr. Exrs. of Harry P. Gallagher, et. al.

No. 6498 Equity.

In the Circuit Court for Frederick County, sitting as a Court of Equity, November Term, 1900.

Courts Co

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 thereupon, this 8th day of December in the year Nineteen hundred 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 at either public or private sale, and that William J. O'Brien Jr. Richard P. Ross and John S. Newman of Frederick County, be, and they are hereby appointed Trustee to make the said sale, and that the course and manner of their proceedings shall be as follows: They shall first file in the Clerk's Office of this Court a Bond to the State of Maryland, executed by them with a surety, or sureties to be approved by the Court, or the Clerk thereof, in the penalty of Fifty Thousand Dollars conditioned for the faithful performance of the Trust reposed in them by this decree or which may be reposed in them by any future order, or decree in the premises, They shall then proceed to make sale of the said real Estate if sold at Public Sale having first given at least three weeks previous notice, inserted in some newspaper printed in Frederick County, and such other notice as they 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 of the day of sale, or on the ratification thereof by the Court, the residue in five and twelve months 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 by the Court, and on payment of the whole purchase money and out 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 him, her or them sold free, clear, and discharged of all claim 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 note which may be taken for the same, to be disposed of under the direction of this Court and 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 they shall appear to have discharged their trust.

Petition Courts

Jos. M. Sherry.

Filed December 8th 1900.