

Decree

No. 7541 Equity.

Mathias Hinkle

No. 7541 Equity.

vs. C. Smith et al

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

The above cause standing read for a hearing and being submitted, the Bill, Answer Exhibits and Testimony and all other proceedings were by the Court read and considered,

It is thereupon, this 11th day of December in the year nineteen hundred and two 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 public sale said two tracts to be offered separately and then as a whole so that the best price can be realized and that J. Roger McSherry of Frederick County be and he is hereby appointed Trustee to make the said sales 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 or the Clerk thereof in the penalty of Three 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 1/2 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 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 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 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 commissions to the said Trustee as the Court shall think proper to allow on consideration of the skill, attention and fidelity whereunto he shall appear to have discharged his trust.

Julius C. Motter,

Filed Dec. 11, 1902.