

No. 8369, Equity.

of official duty Compels me to refrain under the circumstances from ratifying the sale made to them.

The decree will also be modified as prayed by the exceptants.

It is therefore on this 30th day of January 1909, ordered and decreed by the Circuit Court for Frederick County, sitting as a Court of equity and by the authority thereof that the sale reported in the above entitled cause, to which exceptions were filed be, and the same is hereby set aside, and it is further ordered and decreed that so much of the original decree passed in said cause as directed the property to be sold at private sale for sixty dollars and over be stricken down, and that in lieu thereof said real estate be sold at public sale in manner following:

The Trustees shall proceed to make sale of 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 they 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. And as soon as may be convenient after any such sale or sales, the said Trustees 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 announced, and on the ratification of such sale or sales by the Court, and on payment of the whole of the purchase money, and not before, the said Trustees by bond 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 claims of the parties to this cause, and of any person or persons claiming by, from, or under them; and the said Trustees shall bring into this Court the money arising on such sale or sales, and the bonds and 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 said Trustees, 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, etc.