

I am familiar with the property and real estate mentioned in this cause, and it is not susceptible of division amongst the parties entitled to interest therein, and it would be to the interest and advantage of all the parties to have said real estate sold and the proceeds divided amongst them according to their respective interests. It would be especially to the interest of the infants for the real estate to be sold by a decree of Court.

It cannot be divided without great loss and injury to all the parties, as it consists of a large 3 story brick dwelling house on 7th street in Frederick and could not possibly be divided. This property is worth about \$4,000 to \$6,000.

To gen. Int.

No sir.

Ernest Helfenstein.

DECREE.

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 18th day of November in the year nineteen hundred and twelve 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, and that William S. Levy of Baltimore City, 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 a bond to the State of Maryland executed by himself with a surety or sureties, to be appointed by the Court, or the Clerk thereof, in the penalty of Eight 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 from date of sale, 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 the 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 heir 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 sale, 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 shall appear to have discharged his trust.

John C. Motter,

Judge.

TRUSTEE'S REPORT OF SALE AND ORDER NISI.

To the Honorable the Judges of said Court.

The report of sale of William S. Levy trustee, appointed by the decree in the above