

therefrom, as compared to the proceeds of the sale of the said real estate on March 19th, 1902, and interest thereon.

3. That the said Evelyn M. Gardner has not complied with the above decree of Your Honorable Court and has not paid to Thomas C. Mateny Assignee of the mortgage, under the power contained in which the real estate mentioned in these proceedings was sold, nor has she brought into Court to be paid to him, within thirty days after the date of the aforesaid decree, the sum of Four Hundred and Seventy-five Dollars (\$475.00) with interest thereon from June 28th, 1902, nor has said sum yet been paid or brought into Court by her although more than three months have elapsed since the date of the said decree.

Wherefore your Petitioner prays that your Honorable Court will pass a decree for the resale of the real estate in this cause.

And as in duty etc.

Filed February 26, 1916.

Nellie M. Mateny.
Administratrix of Thomas C. Mateny, Assignee

DECREE

The above cause standing ready for a hearing, and being submitted the Bill, Answer, Exhibit its petition, consent and all other proceedings were by the Court read and considered and the Court being of opinion that the property heretofore sold in these proceedings should be resold, but not at the risk of the first purchaser, all the parties in interest consenting it is thereupon, this 26th, day of February in the year Nineteen Hundred and Sixteen 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 Edgar H. McBride and Arthur D. Willard of Frederick County, be, and they hereby appointed Trustees to make the said sales, 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 Twelve Hundred 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, 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, the residue in six 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 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 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 Trustees 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, under them, and the said Trustees 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 commission to the said Trustees as the Court shall think proper to allow, on consideration of the skill, attention and fidelity where with they shall appear to have discharged their trust.

Filed February 26, 1916.

Glenn H. Worthington