

The above cause standing ready for a hearing, and being submitted, the Bill, Answer, Exhibits and ⁵⁸⁷ testimony and all other proceedings were by the Court read and considered.

It is thereupon, this 29th 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 Charles McC. Mathias of Frederick County, be, and he is hereby 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 him with a surety, or sureties, to be approved by the Court, or the Clerk thereof, in the penalty thereof of Four Hundred 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 Real Estate, having at 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 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 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 wherewith he shall appear to have discharged his trust.

Filed March, 1st, 1916.

Glenn H. Worthington

T E S T I M O N Y

Charles W. Wolf, et al.

VS.

Hallie Geasey, et al.

No. 9350 EQUITY.

In the Circuit Court for Frederick County,

In Equity.

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To the Honorable, the Judges of said Court!:-

In; pursuance of said order of the Court and a notice given me by the solicitor for the Plaintiffs in the above entitled cause, I, Albert S. Brown, one of the standing Examiners, of your Honorable Court, duly commissioned and qualified, did, on the 18th day of February, A. D. 1916, at the law office of the Examiner in the City of Frederick, State of Maryland, at the hour of one o'clock P. M. proceed to take the following depositions of the witnesses in this cause then and there produced before me, that is to say!:- Present. Charles McC. Mathias, Solicitor for the Plaintiffs. Exhibit A filed with the Examiner as evidence and is so marked.

Charles W. Wolf, et al.

VS.

Hallie Geasey, et al.

No. 9350 EQUITY.

In the Circuit Court For Frederick

County, sitting as a Court of Equity.

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FRANKLIN H. RICE, a witness of lawful age, produced on the part of the plaintiffs, being first duly sworn and examined, viva voce, deposes and says as follows!:- My name is Franklin H. Rice. I live near Catoc-tin Furnace. I am a farmer about 42 years old. I know all the parties to this suit, and the land in question. I knew Mrs. Fitez during her lifetime. She is dead, having passed away in the spring of 1915. She was married a second time to John D. Fitez, who died before she did. She left no will that I know