No, 9894, Equity,

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vs. Gittings, 103 Md, 485; Jeavens vs, Pitman. 126-Md, 656 under section 122 of Art - 93 of the Code, the petitioner was entitled to On-half of his Wife's pers onal estate remaining for distribution, as she left a sister surviving her but no Children or descendants, There being no devise or bequest to the petitioer by the will of his wife, it was not necessary for him to renounce the will of his wife in order to assert his right to a share of her estate, Code,Art, 93, Secs.9305-317.

The interest of the Petitioner in the sale of the property in question is, therefore amply sufficient to entitle him to institute this proceeding.

it is accordingly adjudged, And Ordered by the Circuit Court for Frederick county, in Equity, this 3rd day of April A,D, 1919, that the Demurrer to the Petition in this cause be and it is hereby overruled; and a decree will be passed appointing Trustees, to sell the property mentioned in the Petition.

Hammond Urner,

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D E C R E E

James C. Meyston.	0	No. 9894 Equity,
	0	in the Circuit Court for Frederick County.
Vs		Sitting as a Court of Equity.
	0	
Petition	0	April Term, 1919,

The above cause standing ready for a hearing and being submitted,the Bill answer, exhibits and all other proceedings were by the Court read and considered, It is thereupon, this 12th day of April in the year Nineteen hundred and Nineteen 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, and that Clayton O,Keedy and Jacob Rohrback, esquires of Frederick County, be and they are hereby appointed Trustee to make the said sales, and that the Course and Manner of their proceedings shall be as follows, they shall first file in the Office of the Clerk of this Court a bond to the State of Maryland,executed by them with a surety or sure ties to be approved by the Court or the Clerk thereof, in the Penalty of Twenty thousand dollars, conditioned for the faithful performance of the trust reposed in them by this decree or which may be reposed in the by any future order or decre in the premises, they shall then proceed to make said sale, of the said real est ate, having first given at least three weeks previous notice inserted in some news paper 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 ratifi cation 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 or purchasers, and as soon as it 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 purch ase money, and not before the said Trustees by a good and sufficient deed to be ex ecuted and agreeably to law, shall convey to the purchaser or purchasers of the said property, to him 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 und them and the said Tustees 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 dispo sed of under the direction of this Court, after deducting therefrom the costs of this suit and such commission to the trustees as the Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall have appeared to have discharged their trust,

Hammond Urner,