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Christopher Baxter
vs
Thomas R. Meredith

Be it remembered that on the eighth day of September in the year of our Lord one thousand eight hundred and sixty three, John H. Evans in pursuance of the act of assembly in such cases made and provided, files the following papers, to wit:

No. 170

Christopher Baxter
vs
Thomas R. Meredith

August 15th 1857. Judgment rend: in favor of Plaintiff for \$22.68^{1/2} debt, Int from date of judgment and 6^{3/4} c cost.

H. A. Foreman J.P.

Geo. W. Wareham Const:

True copy from the Docket of H. A. Foreman, late a Justice of the Peace for Queen Anns County.

Test: James Wothers Clerk.
Circuit Court for Queen Anns County

Ann's County.

Cost 12^{1/2} cents.

Queen Anns County, Md.

The State of Maryland, to J. H. Irons Constable, Greeting: Whereas, before H. A. Foreman one of the Justices of the said State, in and for D. A. County, on the 15th day of August in the year of our Lord one thousand eight hundred and 57 a certain C. Baxter by a judgment by H. A. Foreman given, recovered against a certain Thomas Meredith of said County, as well as the sum of 22.68 debt & 6^{3/4} c current morny, a certain debt, as the sum of for his costs and charges by him in said suit, laid out and expended, as to me manifestly appears. And now on the part of the said C. Baxter I have understood, that although judgment thereon hath been rendered, yet execution of that judgment for his debt, costs and charges aforesaid, still remains to be made, wherefore the said C. Baxter hath brought me to grant him, his proper remedy in this part, and being willing that what is just in this part should be done, you are hereby commanded, that you make known unto the aforesaid Thomas R. Meredith that he be and appear before me, on the 10th day of November next; to shew if anything for himself, he hath or can say, why the said C. Baxter execution against him for the damage, costs and charges aforesaid, to have, ought not, according to the force, form and effect of the recovery aforesaid, if to him it shall seem meet. And further, to do and receive all and singular such things, as I, of and concerning him, then and there shall consider in this part. And have you then and there the names of those by whom you shall make the same known unto him and this writ.

Witness my hand and seal this 7 day of November in the year of our Lord one thousand eight hundred and 60.

Robt. H. Wilson Seal

On the back of the foregoing Sci Fa, was this endorsement, to wit:

Return: Nov 10, /60 "Summoned" J. H. Irons Const.

Whereupon judgment was rendered in form following, to wit:

C. Baxter
vs
Thomas R. Meredith

Nov 17. 1860 Judgment rendered upon Scire facias for \$27.72^{1/2} Int. from date of judgment

Cost 8^{3/4}

Mar 11, 1861 fi fa to J. H. Irons Const returnable April 20, 1861. Fi fa returned nulla bona. Nov 3, 1862 Fi Fa to S. A. Gafford Constable, returnable Dec 10, 1862.

Copy 10 paid

Robt. H. Wilson

Queen Anns County, Oct.

The State of Maryland, to S. A. Gafford Constable of said County, Greeting: Whereas, on the 6 day of Nov 17, 1860 before the the subscriber a Justice of the Peace of the said State in and for the County aforesaid, a certain C. Baxter by the judgment of the said Justice, recovered against a certain T. R. Meredith the sum of \$27.72^{1/2} debt with interest thereon from Nov 17, 1860 until paid, and 1.25 c cost. Wherefore you are hereby commanded

8
That of the goods and chattels, lands and tenements of the said S. B. Meredith being, in your bailiwicks, you cause to be made the debt, costs and charges aforesaid, and have you those sums before the subscriber a Justice of the Peace of the said State, in and for the County aforesaid, on the 10 day of Decr 1862 next, to render unto the said C. Baxter the debt, costs and charges aforesaid, with the additional costs thereon. Hereof fail not at your peril, and have you shew and shew this writ.

Witness, the subscriber, a Justice of the Peace of the said State, in and for the County aforesaid, who hath hereto set his hand and seal this 3^d day of Novemr. in the year of our Lord one thousand eight hundred and 62.

Rolt. K. Wilson *Seal*

On the back of the foregoing fi fa was this endorsement, to wit:

"Return Dec 10 1862"

Annexed was schedule in form following, to wit:

Of the goods lands & tenements of Thomas R. Meredith seized and taken in execution at the suit Christopher Baxter this thirteenth day of Decr. 1862 that is to say 10 acres of land more or less the same being the lands of S. B. Meredith adjoining the lands of S. L. Green, Benj. Meredith & W. C. Meredith lying and being in 2^d Election District of Queen Anne County State of Maryland on the road to Centerville from Church Hill.

John A. Gafford Const.

Accompanying the foregoing fi fa and schedule was the following special return, viz:

By virtue of the writ of Fieri facias to me directed by R. K. Wilson Esquire, I seized the lands and tenements and real estate of the within named Thomas R. Meredith that is to say 10 acres of land more or less adjoining the lands of Thomas L. Green, Benj. Meredith and others lying on the Public road leading from Church Hill to Centerville and having caused notice of which that annexed to this return is a copy to be published at least twenty days before the day of sale in the Maryland Citizen a newspaper in the town of Centerville and to be set up at the Court House door of the county and at two of the most public places in said County most convenient to said property I exposed the said land and tenements to sale at Public Auction on Church Hill at which time and place John H. Evans sum of sixteen dollars cash therefore which being the highest bid that was offered I sold the said property to the said J. H. Evans for \$16 cash and now make return of my proceedings in and about the premises according to law in such cases made and provided.

John A. Gafford Const.

Whereupon the following order of ratification was issued, to wit:

Christopher Baxter } Fi fa issued by R. K. Wilson Justice of the Peace to John A. Gafford Constable.

Thomas R. Meredith } Ordered, that the sale made and reported in the above case, by John A. Gafford Constable, and now before the Circuit Court for Queen Anne's County for confirmation be ratified and confirmed unless cause to the contrary thereof be shown on or before the 14th Monday of January next; provided a copy of this order be inserted in some newspaper published in Queen Anne's County once a week for three successive weeks before the 20th day of January next.

Amount of sale \$16.00

Rich^d B^l Carmichael

11th Nov 1863

Whereupon is issued the order of ratification with certificate of sale annexed in form following, to wit:

Order of Ratification

Christopher Baxter } Fi fa issued by R. K. Wilson, Justice of the Peace to John A. Gafford, Constable.

Th. R. Meredith } Ordered, that the sale made and reported in the above case by John A. Gafford Constable and now before the Circuit Court for Queen Anne's County for confirmation

be satisfied and confirmed unless cause to the contrary shall be shown on or before the fourth Monday of January next, provided a copy of this order be inserted in some newspaper published in Queen Anne's County once a week for three successive weeks before the 20th day of January next.

Amount of sale \$16.00
Nov. 11, 1863

Richard B. Carmichael.

True copy

Dist.

James Walters

Clerk of the Circuit Court for S. A. County

Dec. 21 - 3 w.

Centerville, May 12th, 1864

I hereby certify that the aforesaid order was published in the "Maryland Citizen" once in each of three successive weeks before the 20th day January last, commencing December 24th 1863.

John S. Hoards

Whereupon the final order of confirmation was given, in words following, to wit:

Ordered, this 13th day of May

1864, that the said within referred to, be finally satisfied and confirmed, no cause to the contrary having been shown, although notice appears to have been given as required by the preceding order.

J. B. Ricard

Test

Samuel E. Dyett Clerk

Albet Swamp and John Palmer
vs
Samuel E. Meredith

Be it remembered that on the tenth day of November in the year of our Lord one thousand eight hundred and sixty three, John Palmer in pursuance of the act of assembly in such case made and provided, filed the following paper, to wit:

J. P. 226

Albet Swamp & John Palmer
vs
Samuel E. Meredith

Judgment confessed the 20th day of December 1862 for \$32.46 D. cost 25c in favor of Plffs interest from date of Judgment until paid.

Lloyd S. Hensley J.P.

True copy from the docket of Lloyd S. Hensley Esq. late a Justice of the Peace for Queen Anne's County

Test

James Walters, Clerk of the Circuit Court for Queen Anne's County

Cost of copy \$0.13

State of Maryland, Queen Anne's County, to wit:

I P. J. S. Biale Justice of said county, hereby:

You are hereby commanded, that of the goods and chattels, lands and tenements of Samuel E. Meredith of Queen Anne's County, you cause to be made and levied the sum of \$32.46 debt, with interest from the 20th day of December 1862, and 25 ct. cost which was recovered by Albet Swamp & John Palmer on the 20th day of December 1862, before Lloyd S. Hensley a Justice of the Peace in and for said county; and have you the same before me on the 18th day of May next, to render unto the said Albet Swamp & John Palmer the debt, interest and cost, together with the additional cost shown.

Given under my hand and seal this 16th day of April 1863

Jacob H. Richardson Clerk

Answered in whole in form following, to wit:

Of the goods & chattels, lands & tenements of Samuel E. Meredith taken in execution by virtue of two writs of fi fa issued by John H. Newkirk and to me directed me at the suit of Lloyd S. Hensley and me at the suit Albet Swamp & John Palmer, I have seized and taken in execution the following property, to wit: said Meredith's interest in Block 1st of 28 acres land more or less called Carter's Neck of whatsoever name the same

may be called, situated in the second election district of Queen Anne's County directly on the public road leading from Centerville to Lebanon Hill.

July 11th 1863

P. F. Blake Const.

Accompanying the foregoing schedule was the following return, viz:

Albert Jumps & John Palmer

Fi fa \$32.49/100 Issued by John H. Rowleson, Esq. Justice Peace for Queen Anne's County.

Samuel L. Meredith

I hereby certify that by virtue of a writ of fi fa to me directed against Samuel L. Meredith at the suit of Albert Jumps and John Palmer to me directed against the said Samuel L. Meredith by John H. Rowleson a Justice of the Peace for the 3^d Election District in and for Queen Anne's County I did in pursuance of said writ of Venditioni Exponas after due and legal notice by advertisement in the "Maryland Keitogen" a newspaper printed and published in the town of Centerville in Queen Anne's County and at the Court House door in said County and at various other of the most public places in said County as required by law set up and exposed to public sale, in Centerville, on the 14th day of July 1863 at 12 O'clock M. in said County, a tract of land lying and being in said County called "Porter's Tract" or by whatsoever name it may be called containing twenty eight acres more or less, situated in the second election district of said County, and John Palmer of Queen Anne's County, being then and there the highest bidder, the said tract of lands was knocked down and sold to him for the sum of thirty five dollars, which was paid to the undersigned and by him applied and paid to the satisfaction of the said writ of Venditioni Exponas aforesaid.

All of which is respectfully submitted.

P. F. Blake

Whereupon the following order of ratification 'vici' was issued, to wit:

Albert Jumps & John Palmer

Fi fa issued by J. H. Rowleson Justice of the Peace to P. F. Blake, Constable,

Samuel L. Meredith

Ordered that the sale made and reported in the above case, by P. F. Blake, Constable and now before the Circuit Court for Queen Anne's County for confirmation, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 14th Monday of January next, provided a copy of this order be inserted in some newspaper printed in Queen Anne's County once a week for three successive weeks before the twentieth day of January next. Amount of sale \$35.00

Rich^d. B. Carmichael

11th Nov 1863

Whereupon is issued the order of ratification with certificate of editor annexed in form following, to wit:

Order of Ratification

Albert Jumps and John Palmer

Fi fa issued by J. H. Rowleson Justice of the Peace to P. F. Blake Constable.

S. L. Meredith

Ordered, that the sale made and reported in the above case by P. F. Blake, Constable, and now before the Circuit Court for Queen Anne's County for confirmation be ratified and confirmed, unless cause to the contrary thereof be shown on or before the fourth Monday of January next, provided a copy of this order be inserted in some newspaper published in Queen Anne's County once a week for three successive weeks before the 20th day of January next.

Amount of sale \$35.00

Nov 11, 1863

Richard B. Carmichael

True copy, Dist.

James Wooters,

Clerk of the Circuit Court for Q. A. County

Concord, May 12, 1864

I hereby certify that the annexed order was published in the Maryland Citizen once a week for three successive weeks before the 20th day of January last, commencing December 24th 1863.

John S. Board

Whereupon the final order of confirmation was given, in words following, to wit;

Ordered, this 13th day of May 1864,

that the sale within referred to, be finally ratified and confirmed, on cause to the contrary having been shown, although notice appears to have been given as required by the preceding order.

J. B. Ricard

Set;

Charge upon Palmer \$2.30 for costs in all

Samuel E. Dyott, Clerk.

Jonathan Murphy
vs
James Martin for

Be it remembered that on the 11th day of February in the year of our Lord one thousand eight hundred and sixty four, William Dorman in pursuance of the act of assembly in such cases made and provided, files the following papers, to wit;

Queen Anns County, Set.

Debt \$

The State of Maryland, to E. H. Livingston Constable of said County, Greeting;

You are hereby commanded to summon James Martin for. if he shall be found in your bailiwick, to appear before me the subscriber, a Justice of the Peace of the said State, in and for the County aforesaid, on the 28th day of February at 2 o'clock P. M., to answer unto Jonathan Murphy in a plea of debt, and so forth. Hereof fail not at your peril, and have you then and there this summons.

Witness the subscriber, a Justice of the Peace of the said State, in and for the County aforesaid, who hath hereto set his hand and seal, this 23rd day of February in the year of our Lord one thousand eight hundred and 63.

Jas. B. Ruth Seal

On the back of the foregoing summons was this endorsement, to wit;

"Sum? E. H. Livingston Const."

Queen Anns County, Set.

The State of Maryland, to E. H. Livingston Constable of said County, Greeting;

Whereas

on the 17th day of November before me the subscriber a Justice of the Peace of the said State, in and for the County aforesaid, a certain Jonathan Murphy by the judgment of the said Justice, recovered against a certain James Martin for the sum of \$10 debt, with interest thereon from the 17th day of Nov 1863 until paid, and \$1.13 costs. Therefore, you are hereby commanded, that of the goods and chattels, lands and tenements of the said James Martin being in your bailiwick, you cause to be made the debt, cost and charges aforesaid, and have you those sums before me the subscriber a Justice of the Peace of the said State in and for the County aforesaid, on the 28th day of Nov. next, to render unto the said Jonathan Murphy the debt, cost and charges aforesaid, with the additional cost thereon. Hereof fail not at your peril, and have you then and there this writ.

Witness, the subscriber, a Justice of the Peace of the said State, in and for the County aforesaid, who hath hereto set his hand and seal this 28th day of Nov in the year of our Lord one thousand eight hundred and 63.

Jas. B. Ruth Seal

Annexed was schedule in form following, to wit;

Schedule made this 28th day of November 1863 of

goods & chattels, lands & tenements of James Martin &c. & have seized & taken in execution the following

property to wit, one House & Lot containing ten acres more or less of land taken at the suit of Jonathan Murphy.

E. H. Corington, constable

Accompanying the foregoing schedule was the following return, viz;

By virtue of the annexed writ of Fi Fa issued by James C. Ruth one of the Justices of the Peace in and for Queen Anns County and to me directed I seized the lands and tenements and real estate of the within named James Martin S. N. that is to say a lot of ground situated and lying in the 2^d Election District of Queen Anns County adjoining the lands of W^m Stolls, Dorman & Thompson & J. H. Holden containing ten acres more or less improved by a one story tenant house. And having caused notice of which that annexed to this return is a copy to be published at least twenty days before the day of sale in the Maryland Citizen a newspaper in the town of Centerville and to be set up at the Court House door of the county and at two of the most Public places in said county most convenient to said property that is to say at Church Hill and at Pond Town. I exposed the said land and tenements to sale at Public Auction at the Hotel door of Capt. Geo. Birley in the village of Church Hill on the 7th day of January 1864 at which time and place W^m Dorman, bid the sum of \$230.⁰⁰ cash therefore, which being the highest bid that was offered I sold the said property to the said W^m Dorman for the said sum of \$230.⁰⁰ cash and now make return of my proceedings in and about the premises according to law.

E. H. Corington, Const

Whereupon the purchaser files a notice of his intention to apply to the Judge for confirmation of said sale, which is in words following, to wit:

Jonathan Murphy | Judgment before James C. Ruth Esquire for \$10.00 Debt with interest thereon from
et | the 17th day of November 1863. until paid and \$1.13 costs.
James Martin for

The subscriber having purchased the real estate of the above named James Martin, at a sale thereof, in virtue of an execution issued upon the foregoing judgment, made on the seventh day of January 1864, by E. H. Corington Constable. Hereby gives notice that he intends to apply to the Judge of the Circuit Court for Queen Anns County, at its next session to be held in Centerville on the first Monday of May next, for a confirmation of said sale, when and where the said James Martin or his creditor or any other person or persons, claiming an interest in the matter, will have an opportunity of stating their objections, if any they have, why the said sale should not be confirmed, and for that purpose are hereby warned to appear. The property purchased by the subscriber, consists of "a lot of ground situated and lying in the second election district of Queen Anns County, adjoining the lands of W^m Stolls, Dorman & Thompson & J. H. Holden containing ten acres more or less, improved by a one story tenant house" and which was struck off for the sum of \$230.00.

William Dorman

Therefore the following order "nisi" was issued, to wit:

Ordered this 31st day of January 1865 that the sale above mentioned, be ratified and confirmed unless cause be shown to the contrary on the first Monday of May next, provided a copy of the above notice be inserted in some newspaper published in Centerville Queen Anns County for three successive weeks prior to the first day of May next.

Geo. W. Robinson

Therefore is issued the order of ratification with certificate of editor annexed in form following, to wit:

Ratification's Notice

Jonathan Murphy | Judgment before J. C. Ruth Esq \$10.00 debt, with interest from the 17th day of
et | November, 1863 until paid, and 113 cents costs.

James Martin, Jr. The subscriber having purchased the real estate of the above named James Martin, at a sale thereof, in virtue of an execution issued upon the foregoing judgment made on the seventh day of January 1864 by E. H. Covington, Constable, hereby gives notice that he intends to apply to the Judge of the Circuit Court for Queen Anne's County at its next session, to be held in Centerville on the first Monday of May next, for a confirmation of said sale, when and where the said James Martin and his creditors, or any other person or persons claiming any interest in the matter, will have an opportunity of stating their objections, if any they have, why the said sale should not be confirmed, and for that purpose are hereby warned to appear. The property purchased by the subscriber consists of a lot of ground situate and lying in the Second Election District of Queen Anne's County adjoining the lands of William Sticks, Dorman & Shampers, and J. F. Hadden, containing ten acres more or less, improved by a one story tenant house, and which was struck off for the sum of \$230.00.

Mar. 4, 1865. - H.T.

William Dorman

Centerville May 4, 1865

I hereby certify that the unrevoked notice was published in the "Maryland Vindicator" for four successive times prior to the first Monday of May, instant, commencing on the 4th of March last:

John S. Hand.

Whereupon the final order of confirmation was given, in words following, to wit:

Jonathan Murphy Circuit Court for Queen Anne's County

Sale of Real Estate by E. H. Covington, Constable.

vs
James Martin Jr.

It appearing to the Court that notice has been given as directed by a previous order, and there appearing to be no objections filed. It is ordered this 6th day of May 1865 that the sale made in this cause be and the same is hereby finally ratified and confirmed.

Jno. W. Robinson

Just.

Samuel E. Dyott, Clerk.

John H. Bewley
vs
Jerse Gibson and
Mary Gibson his wife

Be it remembered that on the 2nd day of May in the year of Our Lord one thousand eight hundred and sixty two, John H. Bewley by John B. Brown Esquire his Solicitor filed in the Circuit Court for Queen Anne's County sitting as a court of equity

his bill of Complaint against the said Jerse Gibson and Mary Gibson his wife in the words following to wit: To the Honorable R. B. Learmichael Judge of the Circuit Court for Queen Anne's County in equity, the Bill of Complaint of John H. Bewley of Kent County, Delaware, to your honor, respectfully shews that heretofore to wit: on the twenty eighth day of March eighteen hundred and sixty one a certain Jerse Gibson and Mary Gibson his wife of Queen Anne's County, Maryland, being indebted unto a certain George E. Price of Carolina's County, Maryland, in the sum of five hundred and twenty nine dollars and seventy three cents, due and payable on or before the first day of January eighteen hundred and sixty two, with interest thereon from said twenty eighth March eighteen hundred and sixty one, in pursuance of a reservation and power contained in a deed of conveyance of Real Estate executed and acknowledged by said George E. Price and Emily A. Price his wife, of the first part, and said Jerse Gibson and Mary Gibson, of second part on the twenty eighth day of March eighteen hundred and sixty one and recorded among the Land Records of Queen Anne's County (as will appear by reference to a copy thereof herewith filed (marked Exhibit A) as part of this Bill) and intending to secure the payment of said sum

of money with interest and at the time aforesaid according to the intents and purposes as are fully and at large set forth in the aforesaid deed, did by their Mortgage convey unto George E. Price certain Real Estate lying in Queen Anne's County, State of Maryland, mentioned and described therein, as by reference to a copy of said Mortgage filed herewith as part of this Bill, marked Exhibit B, will appear, said Real Estate is more particularly described by metes and bounds, courses and distances and otherwise as aforesaid Deed (copy whereof is marked Exhibit A filed herewith) to which reference is expressly made in said Mortgage (as by reference to the copy thereof, as marked Exhibit B.):- to this Mortgage the condition annexed is that it be void, on the payment of the said sum of five hundred and twenty nine dollars and seventy three cents with legal interest thereon from date of said Mortgage on or before the first day of January eighteen hundred and sixty two as aforesaid, Your Orator charges that he is the Assignee of this Mortgage by Assignment in writing endorsed thereon, signed and sealed by said George E. Price and delivered to your Orator, which said Mortgage Your Orator now holds and is ready to produce, and furthermore, that on the third day of September eighteen hundred and sixty one said George E. Price executed and acknowledged a separate Deed of Assignment thereof to your Orator which was regularly and duly recorded among the land Records of Queen Anne's County as will appear by reference to a copy thereof herewith filed as part of this bill marked Exhibit C. Your Orator charges that no part of the aforesaid sum of money or the interest accruing thereon has ever been paid, either to said George E. Price before the Assignment of said Mortgage to your Orator as aforesaid and notice thereof or to your Orator since the aforesaid assignment of said Mortgage, altho' the time limited for the payment thereof by the condition aforesaid has passed and payment thereof has been duly demanded of the said Jesse Gibson and Mary Gibson his wife but the whole of said sum and interest as aforesaid remains due and owing to your Orator - To the end that the said Jesse Gibson and Mary Gibson his wife may answer the several matters and things hereinbefore stated, as fully and particularly as if they were herein again repeated and he was thereunto specially interrogated; and that the premises aforesaid or so much thereof as may be necessary may be sold for the payment of your Orator's claim with interest as aforesaid;) and that your Orator may have such other and further relief as his case may require, (May it please Your Honor to grant unto your Orator the State of Maryland to wit of Subpoena against the said Jesse Gibson and Mary Gibson his wife of Queen Anne's County, Commanding them to appear in this Court at some certain day to be therein named, to answer the premises and abide and perform such decree as may be passed therein, and as in duty &c -

John B. Brown Solicitor
for Complainant.

The "Exhibit A" mentioned and referred to in the foregoing Bill of Complaint is in the following words to wit:- Queen Anne's County to wit:- Be it remembered that on the twenty eighth day of May in the year of our Lord one thousand eight hundred and sixty one the following Deed was brought to be recorded to wit:-
Doxedly Expressly reserving and reserving unto Jesse Gibson and Mary Gibson his wife of Queen Anne's County, State of Maryland the right, power and duty simultaneously with the execution of these presents, to execute unto George E. Price of Caroline County of said State a good and valid Mortgage of the Real Estate hereinafter to be conveyed in the manner and form and for the purposes as hereinafter will be made to appear, to secure unto the said George E. Price the payment by the said Jesse Gibson and Mary Gibson his wife of the sum of five hundred and twenty six dollars and seventy three cents, payable on or before the first day of January in the year eighteen hundred and sixty two with interest thereon from date of these presents. The same

Being the balance of purchase money for said Real Estate remaining unpaid by said Jesse Gibson and Mary Gibson his wife unto the said George E. Price, Now this Deed made this twenty eighth day of July eighteen hundred and sixty one by George E. Price and Emily E. Price his wife of County and State aforesaid of the first part and Jesse Gibson and Mary Gibson his wife of County and State aforesaid of the second part Witnesseth that the said George E. Price and Emily E. Prices his wife of the first part in consideration of the sum of two thousand Dollars in hand paid, the receipt whereof by the said George E. Price of the said Mary Gibson wife of Jesse Gibson, as aforesaid is hereby acknowledged and in consideration of the sum of five hundred and twenty six dollars and seventy three cents payable, on or before the first day of January in the year eighteen hundred and sixty two with interest thereon from date of these presents, balance of purchase money remaining unpaid the payment whereof by said Jesse Gibson and Mary Gibson his wife unto said George E. Price is to be secured by Mortgage &c as is set out in the premises to this Deed and to the operation of which Mortgage &c as set out in said premises this Deed is to be subject and in further consideration of the consent and agreement and by the request of said Jesse Gibson and Mary Gibson his wife of the second part, do grant unto said Mary Gibson wife of said Jesse Gibson for and during the term of her natural life and no longer with remainder over to said Jesse Gibson for and during the term of his natural life and no longer with remainder over to the children and their heirs of the two bodies of the said Jesse Gibson and Mary Gibson his wife lawfully begotten living at the time of the death of the said Mary Gibson wife of Jesse Gibson as aforesaid, but if said Mary Gibson wife of said Jesse Gibson as aforesaid shall die and there shall be living no children or the heirs of such children of the two bodies of said Jesse Gibson and Mary Gibson his wife lawfully begotten living at the time of her said death, then with remainder over in fee to said Jesse Gibson, all that Real Estate conveyed to said George E. Price by Deed of even date with these presents, executed by Charles McKellicater James W. Story and Samuel B. Meredith surviving Commissioners, appointed in a cause in the Circuit Court for Queen Annes County entitled

"In the matter of the Petition of George E. Price to value and divide the Real Estate of Edward W. Price late of Queen Annes County deceased" &c and which said Real Estate in the proceedings in said cause in said Circuit Court for Queen Annes County is called "Tottenham" and is therein described by metes and bounds courses and distances as follows. Beginning at a Chesnut Tree standing at the distance of six perches and thirteen twentieths of a perch East of the Road from Beths Mill to Henry Hollidays gate and running thence north sixty five degrees East twelve perches, then North thirty eight degrees East thirty perches thence North forty nine degrees fifteen minutes East thirty nine perches then South eighty three degrees thirty minutes East fifty four perches thence South thirty five degrees forty five minutes East fourteen perches, then South thirty four degrees East twenty four perches then South thirty five degrees, forty five minutes, East twenty seven perches, then South nineteen degrees East forty two perches, then South seventy seven degrees East fifty two perches and eight tenths of a perch, thence South twenty three degrees forty five minutes West sixty one perches and a half perch, then South eighteen degrees East one hundred and eight perches and seven tenths of a perch, then South forty two degrees West twenty six perches thence South forty six degrees West one hundred and four perches, thence North forty nine degrees West eighteen perches, thence North forty four degrees thirty minutes, West twenty eight perches thence North forty one degrees West forty perches, thence North fifty five degrees West twenty perches thence North seventy two degrees West eight perches thence North eighty five degrees West ten perches thence South seventy eight degrees thirty minutes West twenty two perches, thence North eighty degrees West thirty six perches, thence South eighty one degrees West three perches and a half

perch, thence north sixty five degrees West eight perches thence north twelve degrees thirty minutes West five perches, thence north eighteen degrees thirty minutes West three perches then with the head waters of Island Creek to the Corner of a Lot sold to Mrs Susan Courney, thence with said lot south sixty nine degrees East seventeen perches, thence north six degrees East twelve perches thence north twenty three degrees East thirty two perches, thence north forty three degrees West five perches and three quarters of a perch and thence north sixty three degrees East six perches and thirten twentieths of a perch to the Beginning, containing two hundred and seven acres, two rods, and three perches of land more or less and the said George E. Price and Emily E. Price his wife of the first part as aforesaid Covenant that they will warrant generally the property hereby conveyed and that they will execute such further assurances of said land as may be requisite to effectuate the intents and purposes of this Deed, and the said Jesse Gibson and Mary Gibson his wife of second part as aforesaid covenant that they will pay unto said George E. Price balance of purchase money remaining unpaid as set forth in the premises in manner and form as therein also set forth, and that they will execute the Mortgage as called for by the premises to this Deed, in pursuance of the power contained in said premises and for the purposes therein also declared and set forth, As witness our hands and Seals this twenty eighth day of March eighteen hundred and sixty one,

Test

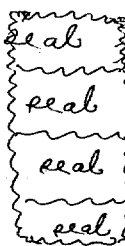
James M. Story

Geo. E. Price,

Emily A. Price

Jesse Gibson

Mary Gibson



State of Maryland Queen Anne's County to wit: I hereby certify that on this twenty eighth day of March 1861 before me the Subscriber a Justice of the Peace of the State in and for the County aforesaid personally appeared George E. Price and Emily E. Price his wife parties of the first part and Jesse Gibson and Mary Gibson his wife parties of the second part, named in foregoing Deed, and did each severally and altogether acknowledge said Deed to be their several as well as their joint act,

Robt C. Baynard J. P.

State of Maryland, Queen Anne's County to wit: I hereby certify that the foregoing is truly copied and taken from Liber M. B No. 1 folios 534, 535 & 536 one of the Land Record Books of Queen Anne's County,



In Testimony whereof I hereunto set my hand and the Seal of the Circuit Court for Queen Anne's County affix this 2nd day of May Anno Domini 1862

Madison Brown Clerk

The "Exhibit B" referred to in the foregoing Bill of Complaint now in the words following to wit: Queen Anne's County to wit: As it is remembered that on the twenty fifth day of June in the year of our Lord one thousand eight hundred and sixty one the following Mortgage was brought to be recorded

This Mortgage made this twenty eighth day of March eighteen hundred and sixty one by Jesse Gibson and Mary Gibson his wife of Queen Anne's County, State of Maryland: Witnesseth that in consideration of and in by virtue of a power contained in a deed of even date with these presents executed and acknowledged by George E. Price and Emily A. Price his wife of the first part and Jesse Gibson and Mary Gibson his wife of the second part, and to secure the payment of said Jesse Gibson and Mary Gibson his wife to said George E. Price of the sum of five hundred and twenty six dollars and seventy three cents on or before the first day of January eighteen hundred and sixty two with legal interest thereon from date of these presents all which is particularly set forth, in the aforesaid described deed of even date with these presents the said Jesse Gibson and Mary Gibson his wife do grant unto George E. Price all that Real Estate on which the

said Jesse Gibson and Mary Gibson his wife now reside lying and being in the third Election District of Queen Annes County called "Tottingham" and particularly described by metes and bounds, courses and distances in the aforesaid described deed executed and acknowledged by George & Price and Emily & Price his wife of the first part and Jesse Gibson and Mary Gibson his wife of second part as aforesaid - Provided that if the said Jesse Gibson and Mary Gibson his wife shall pay to the said George & Price aforesaid said sum of five hundred and twenty two Dollars and seventy three cents on or before the first January eighteen hundred and sixty two with legal interest thereon from date of these presents, then this Mortgage shall be void - Witness our hands and Seals

Jesse Gibson
 Mary Gibson

Seal
 Seal

Robt L. Baynard

State of Maryland, Queen Annes County to wit: I hereby certify that on this 28th March eighteen hundred and sixty one before me the Subscriber a Justice of the Peace of State in and for County aforesaid personally appeared Jesse Gibson and Mary Gibson his wife and did each acknowledge said Mortgage to be their act.

Robt L. Baynard J.

State of Maryland Queen Annes County to wit: I hereby certify that on this 25 June before me the Subscriber, a Justice of the Peace of State in and for County aforesaid personally appeared George & Price Mortgage named in foregoing Mortgage and made oath in due form of law that the consideration in said Mortgage is true and bona fide as therein set forth.

Robt L. Baynard J.

State of Maryland, Queen Annes County to wit: I hereby certify that the foregoing is truly copied from Liber M B No. 1 folios 543 & 544 one of the Land Record Books of Queen Annes County.



In testimony whereof I hereto set my hand and seal of the Circuit Court for Queen Annes County affix this 2nd day of May Anno Domini 1862,

Madison Brown Clerk.

Cost 75 cts

Queen Annes County to wit: Be it remembered that on the third day of September in the year of our Lord one thousand eight hundred and sixty one the following Assignment of Mortgage was brought to be recorded to wit:

Whereas on the twenty eighth

day of March eighteen hundred and sixty one a certain Jesse Gibson and Mary his wife executed a deed of Mortgage to one George E. Price of certain Real Estate situate in Queen Annes County to secure the payment of five hundred and twenty six dollars and seventy three cents as therein specified as by reference to said Deed of Mortgage recorded in Liber M. B. No. 1 folios 543 & 544 one of the Land Record Books of Queen Annes County will more fully and at large appear, and whereas for value received the said George E. Price has transferred and assigned to John H. Bewley the aforesaid Mortgage Debt by assignment in writing endorsed on the original Mortgage and has delivered the said original Mortgage with said assignment thereon as aforesaid to the said John H. Bewley and is desirous still further to secure the said John H. Bewley at his request by executing and acknowledging this Deed of Assignment to the end that the same may be recorded, (Now therefore this Deed of Assignment Witnesseth that in consideration of the premises aforesaid the said George E. Price has assigned and transferred and does hereby transfer and assign, and does hereby ratify and confirm the assignment heretofore made as aforesaid unto the said John H. Bewley all the lands and premises contained in the Deed of Mortgage above mentioned and the said Mortgage debt and interest thereon which are secured by the pledge of said lands and premises, do witness my

hands and seals this third day of September eighteen hundred and sixty one

Witness

George E. Price *seal*

Robt. L. Baynard

State of Maryland, Queen Anne's County to wit: I hereby certify that on this third day of September 1861 before the Subscriber, one of the Justices of the Peace of the State of Maryland in and for Queen Anne's County personally appeared the within named George E. Price and acknowledged the foregoing assignment of Mortgage and instrument of writing to be his act and deed for the purposes therein mentioned

Acknowledged before Robt. L. Baynard J.P.

State of Maryland, Queen Anne's County to wit: I hereby certify that the foregoing is truly copied from Liber M. B. No. 1 folio 563 - one of the Land Record Books of Queen Anne's County



In testimony whereof I hereto set my hand and the Seal of the Circuit Court for Queen Anne's County this 2nd day of May Anno Domini 1862

Leeds 65 cts

Madison Brown Clerk

Whereupon Summons were issued for the said Jesse Gibson and Mary Gibson his according to the prayer of the Complainant and the said Jesse Gibson being returned summons and the said Mary Gibson being returned not summoned whereupon the second summons was issued for the said Mary Gibson and the said Mary Gibson being returned summoned and the said Jesse Gibson and Mary Gibson his wife after having been duly summoned and after having failed to appear to the said Bill of Complaint thereupon further process upon the premises aforesaid is continued until the fourth Monday day of January next at which said fourth Monday of January in the year eighteen Hundred and sixty three the following interlocutory decree was passed by the said Court

John H. Bewley

vs

Jesse Gibson and Mary Gibson his wife

In Circuit Court for Queen Anne's County in Equity, January Term 1863

The Defendants having been duly summoned to appear to the Bill of Complaint and having failed to appear thereto - It is thereupon this twenty sixth day of January eighteen Hundred and sixty three by this Court and by the authority thereof adjudged, ordered and decreed that the Complainant is entitled to relief in the premises - But because it doth not certainly appear to what relief the Complainant is entitled, it is further adjudged and ordered ^{that a} Commission issue to James Wooster Esq to take testimony to support the allegations of the bill.

Richd. Farmichael

Thereupon Commission is issued to James Wooster Esq to take testimony, which said Commission was issued in the form following to wit:

Queen Anne's County, to wit: The State of Maryland to James Wooster of Queen Anne's County, Greeting: By virtue of an interlocutory Decree passed by the Circuit Court for Queen Anne's County as a Court of Chancery on the twenty sixth day of January eighteen hundred and sixty three, against Jesse Gibson and Mary Gibson his wife, for their failure to appear and answer unto the Bill of Complaint of John H. Bewley against them in said Court exhibited. after being duly summoned as to do, be it known that you are appointed by the said Court a Commissioner to examine evidences ex parte in said cause against the said Jesse Gibson and Mary Gibson his wife - You are therefore hereby required, having first taken the Oath hereunto annexed, and also administered the annexed oath to the person whom you shall appoint as clerk to attend the execution of this Commission, that at such time and place as to you shall seem convenient, you cause to come before you all such evidences as shall be



mailed and produced to you by the complainant and that you examine them on their
 oaths to be by you administered upon the Holy Evangelie of Almighty God, touch-
 ing their knowledge or remembrance of any thing that may relate to the cause aforesaid, and
 that you cause notice to be given to the said Complainant or his Solicitor of the Execution
 of this Commission before you execute the same, and having reduced the depositions of
 the witnesses so taken by you into writing, you send the same with this Commission
 close under your hand and seal to the said Circuit Court with all convenient speed,
 Witness the Honorable Richard B Leammichael Judge of the said Court, the twenty
 sixth day of January eighteen hundred and sixty three

Issued the 15th day of May 1863: Madison Brown Clerk,
 J. B. Brown Esquire, Solicitor for Complainant,

Commissioners Oath.

You James Wooster shall according to the best of your Skill and Knowledge, truly, faith-
 fully and without partiality to any or either of the parties to this Cause, take the examina-
 tions and depositions of all and every witness or witnesses produced and examined,
 by virtue of the Commission hereto annexed, upon the interrogatories now or which may
 hereafter before the said Commission is closed be produced to and left with you on the
 part of the complainant Do help you God. Sworn before

Isaiah Rowleson,

You Edwin H. Brown shall truly, faithfully, and without partiality to any or either
 of the parties to this cause, take, write down and transcribe the depositions of all and
 every the witnesses produced before and examined by the Commissioner named in
 the Commission hereto annexed, as far forth as you are directed and employed
 by the said Commissioner to take, write down and transcribe the said depositions
 or any of them. Do help you God

Sworn before, James Wooster, Commissioner.

Interrogatory to be propounded to Robert L. Baynard, Witness called by Complainant ~
 1st Look at Exhibit D and state whether or not the attestation of Robert L Baynard to
 said Instrument of Writing is in your proper hand writing, also whether or not the
 Acknowledgement to said Instrument of writing was taken by you and the subscrip-
 tion thereto is in your hand writing ~

2nd State whether or not you are acquainted with the hand writing of George & Price
 and your means of Knowledge and if yea, whether or not you recognize the Signature
 of G & Price to said instrument of writing to be in the proper handwriting of said George
 & Price ~

3rd State whether or not to the best of your recollection said George & Price did not
 sign and acknowledge said Instrument of Writing in your presence ~

J. B. Brown Compts
 Solicitor.

To the Honorable Richard B Leammichael, Judge of the Circuit Court for Queen Annes
 County, At the execution of the annexed Commission issued out of the Circuit Court
 for Queen Annes County, sitting as a Court of Equity, by virtue of an Interlocutory Decree
 passed by the said Court on the twenty sixth day of January Eighteen hundred and six-
 ty three, against Jesse Gibson and Mary Gibson his wife for their failure to appear answer
 unto the Bill of Complaint of John H. Bunley against them in said Court exhibited,
 after having legally summoned so to do, and empowering me to examine evidences ex parte
 in said cause, against the said Jesse Gibson and Mary Gibson his wife, & James Wooster,
 Commissioners therein named, having taken the oath annexed to said Commission and
 having appointed Edwin H Brown my clerk and administering to him the Oath annexed
 to said Commission to be taken by him, did on the thirtieth day of May in the year
 eighteen hundred and sixty three, at Kentville, in the County aforesaid, having given
 notice to the Solicitor of the complainant, proceed to take the following depositions, to wit:

Robert le Baynard, a witness of lawful age produced and examined on the part of the complainant, being duly sworn and examined to interrogatories filed with, and returned by the Commissioners, deposes and says

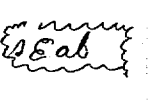
To the first Interrogatory, That the attestation of Robert le Baynard to the paper marked Exhibit D now shown him is in his proper hand writing, and the acknowledgment to said instrument of writing was taken by him and the subscription thereto is also in his hand writing.

To the second Interrogatory That he is acquainted with the hand writing of said George & Price having frequently seen him write his signature and he does recognize the signature of G. & Price to said instrument of writing marked Exhibit D to be in the proper hand writing of said George & Price.

To the third Interrogatory, He did

Robert le Baynard

The Commissioners herewith returns papers and instruments of writing marked Exhibits A, B, C, D & E, filed with him by the Solicitor of the complainant, There being no other witnesses to be examined, and further time not being desired for the production of evidence, the Commissioners closed the said Commission and herewith returns the same under his hand and Seal, this 30. day of May 1863

James Wooster. 
Commissioner

Costs of executing Commission

Commissioner 1 day & oaths	2.05	3
clerk 1 "	2.50	3
Witness 1 "	.75	3
Sheriff	40	3
		\$ 1.70

The "Exhibits A. B. C. D. & E" referred to in the foregoing return of the Commissioners are the same which are recorded in the record of this lease on pages 14-15-16-17 & 18 and "Exhibit E" referred to in the said return is in the following words to wit: Nov 25th 1862 Jesse Gibson paid me as attorney the sum of one hundred and fifty Dollars to be applied as a credit to the Mortgage marked Exhibit B -

John B. Brown Compt
Solicitor.

May 30th 1863 -

Whereupon the Court passed the following Decree

John H. Beverly In the Circuit Court for Queen Anns County in Equity -

vs
Jesse Gibson & Mary
Gibson his wife

May Term 1863.

This Cause standing ready for hearing and being submitted without argument, the proceedings were read and considered - It is thereupon this 22nd June eighteen hundred and sixty three by this Court and by the authority thereof - adjudged ordered and decreed that unless Jesse Gibson and Mary Gibson his wife, Respondents in this Cause shall on or before the tenth day of August pay or bring into this Court to be paid unto John H. Beverly the complainant the sum of four hundred and twenty nine Dollars and fourteen cents with interest thereon from the twenty fifth day of November eighteen hundred and sixty two until paid or brought in as aforesaid (amount appearing due from proceedings in the Cause) together with complainants cost of this suit to be taxed by the clerk of this Court, the mortgaged premises in the proceedings mentioned, or so much thereof as may be necessary for the purpose, be sold in. That John B. Brown of Queen Anns County be and he hereby is appointed Trustee to make such sale; and that the course and manner of his proceedings shall be as follows:

He shall first file with the clerk of this Court a bond to the State of Maryland, executed by himself with a surety or sureties to be approved agreeably to law in the penalty of one

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 the proceeds to make sale of the said mortgaged premises, having first given at least three weeks previous, inserted in some Newspaper printed in Queen Annes County; and such other notice as he may deem proper of the time place manner and terms of sale; which terms shall be as follows; the whole purchase money to be paid in Cash on the day of Sale - And as soon as convenient after any such sale 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 annexed. And on the Ratification of such Sale by this Court and the payment of the whole purchase money (and not before) the said Trustee by a good and sufficient Deed to be acknowledged and executed agreeably to law, shall convey to the purchaser and purchasers of said property or to her, his or heirs the property, to her, him or them sold, free clear and discharged of all claims of the parties to this cause or of any person claiming by, from or under them, And the said Trustee shall bring into this Court the money arising from such sale 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 this Court may think proper to allow in consideration of the skill, fidelity and attentions where with he shall appear to have discharged his trust

Richard B Leannichael,

Whereupon the said John B. Brown, the Trustee named in the said Decree files in this Court here the following Bond with the endorsement thereon to wit: Know all men by these presents that We, John B Brown and Madison Brown of Queen Annes County, State of Maryland are held and firmly bound unto the said State of Maryland in the full and just sum of one thousand Dollars current money, to be paid to the said State of Maryland or its certain Attorney; to which payment well and truly to be made and done We bind ourselves, and each of us our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents sealed with our Seals and dated this 15th day of December eighteen hundred and sixty three. Whereas by a decree of the Circuit Court for Queen Annes County in Equity; bearing date on the twenty second day of June eighteen hundred and sixty three and passed in a cause in said Court wherein John H Bewley is complainant and Jesse Gibson and Mary Gibson his wife are defendants the above bound John B Brown has been appointed to make sale of certain Real Estate in the proceedings in said Cause mentioned - Now the condition of the above Obligation is such that if the above bound John B. Brown, do and shall well and faithfully perform the trust reposed in him by said Decree or that may be reposed in him by any future order or decree that may be passed in the premises - then the above obligation to be void otherwise to remain in full force and virtue in law

Signed, Sealed and Delivered

in the presence of

R L Leannon

John B Brown 
Madison Brown 

Bond and Security approved and filed the 15th day of December eighteen hundred and sixty three

Samuel E Nyott Clerk of the
Circuit Court for Queen Annes
County.

Whereupon further process upon the premises aforesaid is further continued until the 1st Monday of May next. At which said first Monday of May in the year eighteen hundred and sixty four comes into Court here the said John H Bewley by his Solicitor aforesaid, and the said John B. Brown a Trustee; made the following Report of Sale to wit:

John H Bewley
 vs
 Jesse Gibson & Mary
 Gibson his wife

In Circuit Court for Queen Anne's County in Equity, May Term 1864

To the Honorable James B. Roan, Judge of the Circuit Court for Queen Anne's County in Equity, the Report of John B. Brown, Trustee, appointed by the Decree in this cause to make sale of the Real Estate therein mentioned or so much thereof as may be necessary for the purpose shows that after giving bond with approved security for the faithful discharge of his trust as required by said Decree, and giving notice of the time, place, manner and terms of sale by advertisement in the Centreville Times, a newspaper printed in the Town of Centreville, Queen Anne's County for more than three successive weeks before the day of sale, He did pursuant to said Notice attend in front of the Court House in said Town of Centreville on Tuesday the twelfth day of January of this present year eighteen Hundred and sixty four and there and there proceeded to sell a portion of said Real Estate as follows, to wit: Your Trustee offered at Public Sale to the highest bidder all that portion of the Real Estate in the proceedings mentioned, described and referred to called it out in which is contained within the following notes and bounds, courses and distances to wit: Beginning at a stone in the public Road from Lehigh Hill to Bookers Landing and running thence South twelve degrees thirty minutes West one Hundred and fourteen perches to a stone, thence South forty six degrees East fourteen perches and four tenths of a perch to a stone, thence North eighty degrees East ten perches, thence North forty five degrees fifteen minutes East seventy one perches and four tenths of a perch to a stone, thence North twenty four degrees East sixty perches to the Road and thence with the Road North seventy three degrees West twenty perches, North seventy eight degrees West twelve perches and North eighty degrees West fifteen perches and one tenth of a perch to the Beginning, containing forty acres of land, being the same Lot of land on which Edward Herrick and Mary S. Herrick his wife now reside, and sold the same to said Mary S. Herrick, she being then and there the Highest bidder therefor at and for the sum of two Hundred and forty dollars in cash - Your Trustee therefor bore to offer or advertise any more of said Real Estate for sale at request of Defendant they promising to pay to your Trustee without Sale or sufficient sum to satisfy complainant balance of his claim and also to cover all costs - all which is very respectfully submitted.

John B. Brown
 Trustee

State of Maryland Queen Anne's County to wit: on this 19th day of May eighteen Hundred and sixty four personally appeared before me, the Subscriber, a Justice of the Peace of State in and for the County aforesaid John B. Brown Trustee and made oath in due form of law that the matters and things stated in foregoing Report are true to the best of his knowledge and belief and that the sale therein reported was fairly paid - sworn before

John H. Rowleson Jr.

Thereupon the following Order of Ratification is passed here In Circuit Court for Queen Anne's County in Equity - May Term 1864. Ordered that the Sale made and reported by John B. Brown, Trustee for sale of Real Estate mentioned in a cause in this Court wherein John H. Bewley is complainant and Jesse Gibson and Mary Gibson his wife, are Defendants, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 30th day of July next; provided a copy of this order be inserted in some paper printed in Centreville at least once in each of three successive weeks before the twentieth day of June next. Report states amount of sales to be \$240

Samuel E. Ogott Clerk

And afterwards to wit: on the Second Day of August the year Eighteen Hundred and sixty four the Court passed the following order to wit:

John H Bewley vs Jesse Gibson & wife In Circuit Court for Queen Anne's County in Equity,

Ordered this Second day of August 1864 by the Circuit Court for Queen Anne's County and by the authority thereof that the Sale heretofore reported in this Cause by John B Brown, Trustee, be and is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown although notice appeared to have been given as directed by conditional order. - The Auditor will allow Trustee the usual commissions and expenses

J. B. Ricard,

Whereupon further process of and upon the premises aforesaid is further continued until the first Monday of November next, at which said first Monday of November in the year eighteen Hundred and sixty four comes into Court here, The said John H Bewley by John B Brown Esq: his Attorney aforesaid and filed the following statement to wit:

John H Bewley vs Jesse Gibson & wife In Circuit Court for Queen Anne's County in Equity,

After application of Sales of Real Estate, the balance of mortgage Debt & costs accrued in above suit were paid and satisfied by Mary E Gibson, one of the Defendants in the cause -

12th Nov 1864

John B. Brown Trustee

And upon the 12th day of November the following Entry is made. Off says Complainant's Solicitor

Whereupon the Court order and direct that proceedings in all things thereto relating be recorded in Extenso, And the same is accordingly done.

Test

Samuel B Wyatts Clerk,

4275
4731

David Hlevane

vs

Noah Richard Coleman
 heir at law; and James R
 Coleman Admr. of Richard
 Coleman deceased.

Be it remembered that on the 27th day of April in the year eighteen
 hundred and sixty David Hlevane by Philemon B Hopper Esq:
 his Solicitor filed in Queen Anne's County Circuit Court sit-
 ting as a Court of Equity his Bill of Complaint against the
 said Noah Richard Coleman heir at law; and James R. Cole-
 man Admr. of Richard Coleman deceased in the words
 following to wit:-

To the Honorable F. B Leammichal Judge of
 the Circuit Court for Queen Anne's County sitting as a Court of Equity. The Bill of Complaint
 of David Hlevane of Queen Anne County who sues as well for himself as all other creditors
 of Richard Coleman late of said County deceased, who will come in and contribute to the
 expenses of this suit; humbly shews, that the said Richard Coleman late of said County de-
 ceased, was in his life time indebted to one Thomas Hlevane in the sum of fifty two Dol-
 lars for sundry matters and things properly chargeable in account as appears by the ac-
 count thereof herewith filed marked Exhibit "A" and which said account the said Thomas
 Hlevane by his endorsement thereon in writing over his own signature assigned and endorsed
 to your orator, and your orator further charges that the said Richard being indebted as
 aforesaid unto the said Thomas Hlevane, now for the use of your orator, and also unto
 divers other persons in large sums of money and having real and personal estate of value
 departed this life in the year eighteen hundred and fifty five intestate, and leaving a widow
 also Noah Richard Coleman an only son his heir at law who is an infant, upon whom has
 devolved all the Real Estate of the aforesaid Richard Coleman. And your orator further char-
 ges, that administration of all and singular the personal estate of the said Richard Cole-
 man hath been lately granted by the Orphan's Court of Queen Anne's County unto one James
 R Coleman of said County, who in virtue thereof has possessed himself of the said personal
 estate of value, but your orator is informed and believes, that the same is not sufficient
 to discharge all the debts due and owing by the said intestate, at the time of his death, in
 fact the same has been fully administered before the Orphan's Court aforesaid towards the pay-
 ment of the debts of the said deceased, as will appear by a copy of the dividend made
 and approved by said Court, herewith filed as a part of this Bill marked "Exhibit B" from
 which it will appear that large balances are due to his creditors, who shared in the dividend
 of said personal estate; and it will also appear that your orator received no part thereof;
 having withdrawn his claim for the purposes of having this Bill proposed, and thus accident-
 ly excluded from any participation therein. He is advised however that any deficiency
 in said personal estate ought to be supplied by a sale of the Real Estate of the said de-
 ceased for the payment of the claim of your orator and other claims or balances of
 claims due to other creditors of said deceased; but your orator is unable to obtain ade-
 quate relief without the aid of this Court. To the end therefore that the Defendants herein after
 named may answer the several matters and things hereinbefore set forth as fully and
 particularly as if the same were herein again repeated, and they were thereunto espe-
 cially interrogated, and that the said James Coleman Administrator may also set forth
 an account of his personal estate of his intestate, stating how much, if any is in
 hand for further disbursement, and that the Real Estate of the said deceased, or so
 much thereof as may be necessary for the purpose, may be sold for the payment of the
 claim of your orator and of the other unsatisfied creditors of the deceased, and that your
 orator may have such further and other relief in the premises as equity may require,
 May it please your honor to grant unto your orator the writ of subpoena against the
 said Noah Richard Coleman an infant, and the said James R Coleman comman-
 ding them to appear in this Court, at some certain day to be therein named, to answer
 the premises and abide by and perform such decrees as may be passed therein, and
 as in duty lie -

P. B Hopper Solr. for complainant.

The "Exhibit A" referred to in the foregoing Bill of Complaint is in the words following to wit:

Richard Coleman

To Tho. H Kerans Dr.

1854	Sept 25 th	To Visit	200	Med	50		\$ 2.50
	" 26 th	To " "	200	Consult.	500		7.00
	28 th	To " "	200	"	100		3.00
	Oct: 14 th	To " "	200	Med	50		2.50
	15 th	To " "	200	"	50		2.50
	16 th	To " "	200	"	50		2.50
	17 th	To " "	200	"	50		2.50
	18 th	To " "	200	"	50		2.50
	19 th	To " "	200	"	50		2.50
	20 th	To " "	200	"	50		2.50
	23 rd	To " "	200				2.00
1855	April 18 th	To Visit	300	Med.	100		4.00
	20 th	To " "	300	"	100		4.00
	23 rd	To " "	300	"	100		4.00
	24 th	To " "	300	"	100		4.00
	26 th	To " "	300	"	100		4.00
							\$ 52.00

Queen Annes County, Md on the 12th day of June eighteen hundred and fifty seven before the Subscriber, a Justice of the Peace, in and for said County, personally appears Tho. H Kerans and makes oath on the Holy Evangelys of Almighty God, that the above account, as stated, is just and true; and that, to the best of his knowledge and belief, no part or parcel of the same has ever been, either directly or indirectly, paid, satisfied or secured. (This acct: is a duplicate of one that has passed thro Court and been lost.) Sworn before & Costs 10 cts paid
 Johnathan Downes J.P.

The "Exhibit B" referred to in the foregoing Bill of Complaint is in the following words to wit: - Queen Annes County, Md, 19th James R Coleman Administrator of all and singular the goods, chattels, & personal estate of Richard Coleman, late of said County, deceased, do balance due on first account of Administration, settled on the 22nd day of December 1857, as per same appears:

From which deduct the amount of Samuel S Hamer's Bill & Receipt fees appears:	11.89	\$ 86.17
Also the amount of S. E Sullivan's Bill & receipt for advertising notices to Creditors:	2.50	
Also the amount of Mr Price's Bill & receipt for state and County taxes for the years, 1854, 1855, & thereof	5.37	
Also the cost of making statement of claims, striking dividend among the Creditors of Deceased:	7.00	
Also the cost of recording &c same & Copy for Administ:	4.10	
And for authenticating 14 claims	2.80	
Balance		\$ 52.51

The foregoing Balance divided among the Creditors of the Deceased will pay at the rate of twenty two cents in the dollar to each Creditor as follows:

	Claims	Dividends
To Geo W Foreman per claim No. 1.	\$ 5.02	\$ 1.10 ⁵ / ₁₆
" Jas R Coleman " " No. 2.	7.46	1.64 ¹ / ₁₆
" Doct: Power " " No. 3.	42.35	9.31 ¹⁰ / ₁₆
" Samuel Postwick " " No. 4.	4.22	.92 ¹² / ₁₆
" John A Brown " Date No. 5.	36.35	7.99 ¹² / ₁₆

To Jno Pearson use of Chas. Chairs No 6	6.45	1.41 ¹⁴ / ₁₀₀
" Joseph M Pearson " " No 7	6.38	1.40 ⁸ / ₁₀₀
" Joe Darnon (fr) " " No 8	1.28	.28 ⁷ / ₁₀₀
" Dr L M Newman " " No 9	8.00	1.76
" William Faulk " " No 10	15.24	3.35 ⁴ / ₁₀₀
" Jno Moley " " No 11	21.35	4.69 ¹⁰ / ₁₀₀
" Geo W Foreman, use of Wm J Foreman No 12	51.44	11.31 ¹⁰ / ₁₀₀
" Geo W Foreman, use of same No 13	19.03	4.18 ¹⁰ / ₁₀₀
" Geo Wheats " " No 14	14.13	3.10 ⁴ / ₁₀₀
	<u>\$238.70</u>	<u>52.51</u>

Queen Anns County, Orphan's Court, The foregoing Dividend was duly examined Jan 24th anno Domini, 1860 and approved by the Court & the same ordered to be received, filed & recorded.

In testimony that the foregoing is a true Copy from the original a Record in my Office, I have hereunto set my name and affixed the Seal of my Office this 27th day of April 1860.
 Cost 40 cts.

sent. per. W. A Johnson Regr. Wills
 W. A Johnson, Regr. Wills
 for Queen Anns County.

Whereupon Summons; were issued for the said Noah Richard Coleman heir at law and James R Coleman Adm^r. of all and singular the goods and chattels, rights and credits which were of Richards Coleman late of Queen Anns County deceased, and Noah Richard Coleman heir at law and James R Coleman Administrator as aforesaid being returned summons, the said Noah Richard Coleman and James R Coleman appear in Court here. And the said Noah Richard Coleman being a minor the Court appoints Aratt Smith Guardian to answer and defend for him then comes into Court here. The said David H Berane by his solicitor aforesaid's. And thereupon the said Aratt Smith as Guardian to the said Noah Richard Coleman comes into Court here and files his answer to the said Bill as follows to wit:-

The answer of Noah Richard Coleman by this Guardian Aratt Smith to the Bill of complaint of David H Berane assignee of S H Berane exhibited against him in the Circuit Court of Q. A. County. This Defendant can neither admit or deny the matters alledged in the Bill of complaint, of the said S H Berane and being an infant of tender years submits his interests to the protection of the Court, and as in duty bound &c

Test. H. A. Sorman
 Aratt ^{his} Smith, Guard.
 mark

Manland Queen Anns County to wit: on this first day of August in the year eighteen hundred and sixty before the Subscriber a Justice of the Peace of the State of Maryland in and for Queen Anns County personally appears Aratt Smith Guardian and makes oath that the matters and things set forth in the above answer are true to the best of knowledge and belief-

Cost of oath 5 cts P^d Sworn before. Henry A Sorman J. P.
 John Robinson Esq will please attend to the above case for me
 August 17th 1860
 Test D H Berane
 Aratt ^{his} Smith
 mark

Whereupon the following Agreement was filed to wit:
 Crane } Mr. Brown will please give Commission to Henry A Sorman to
 or } take testimony in the above case
 Coleman }

P. B Hooper for Compl^t:
 Jno M Robinson Sol: for Def^t:

Thereupon further process upon the premises is by regular continuances continued until the 4th Monday of January next; at which said 4th Monday of January in the year eighteen hundred and sixty one comes into court here the said David St Lawrence by his Solicitor aforesaid; and the said James R Coleman files his answer to the said Bill of Complaint in manner following to wit

David St Lawrence
v
Noah Richard Coleman
Kathens
The answer of Jas R Coleman administrator of R^d Coleman deceased to the Bill of Complaint of David St Lawrence & others in the Circuit Court of Queen Anne's County exhibited - This Defendant admits that letters of Administration were granted to him by the Orphans Court of Queen Anne's County on the personal estate of R^d Coleman & that he has in pursuance thereof settled the same as will appear by dividend filed in this Cause - This Defendant is not advised of any other estate belonging to said Richard Coleman except the Real Estate mentioned in Bill of Complaint.

On this 8th day of November in the year eighteen hundred & sixty, before the Deputies a Justice of the Peace of the State of Maryland for Queen Anne's County personally appeared James R Coleman & made oath that the matters & things stated in the aforesaid answer are true to the best of his knowledge & belief

Henry A Foreman J. P.

Thereupon Commission is issued in the following form to wit:-

Queen Anne's County, to wit the State of Maryland, to Henry A Foreman Esquire of Queen Anne's County Greeting - Be it known that you have been appointed Commissioner to examine evidences in a cause depending in the Circuit Court for Queen Anne's County, between David St Lawrence, Complainant, and Noah Richard Coleman heir at law, and James R Coleman Administrator of Richard Coleman, deceased, Defendants, You are therefore hereby required, having first taken the oaths hereunto annexed, and also administered the annexed oaths to the person whom you shall appoint as Clerk to attend the execution of this Commission, that at such time and place as to you shall seem convenient. You cause to come before you all such evidences as shall be named and produced to you by either the Complainant or Defendants; and that you examine them on their corporal oaths, to be by you administered upon the Holy Evangelists of Almighty God, touching their knowledge or remembrance of any thing that may relate to the cause aforesaid; and that you cause notice to be given to the parties or their Solicitors of the execution of this Commission before you execute the same; and having reduced the depositions of the witnesses so taken by you into writing; you return the same with this Commission, close under your hand and seal to the said Circuit Court, with all convenient speed - Witness the Honorable Richard B Learmichael Esquire, Judge of the said Court, the seventh day of May Eighteen hundred and sixty, the 23rd day of October 1860

SEAL'S
Globe

(Madison Brown, Clerk,

Commissioners Oath

You Henry A Foreman shall according to the best of your skill and knowledge truly, faithfully, and without partiality to any or either of the parties in this Cause, take the examinations and depositions of all and every witness and witnesses produced and examined by virtue of the Commission hereto annexed, upon the interrogatories now, or which may hereafter before the said Commission is closed be produced to and left with you by either of the said parties. So help you God

Robt H Wilson J. P.

Clerks Oath

You William M^r Ammes shall truly, faithfully, and without partiality to either of the parties to this Cause, take write down and transcribe the depositions of all and every

the witness and witnesses produced before and examined by the Commissioner named in the Commission herunto annexed, so far forth as you are directed and employed by the said Commissioner to take, write down and transcribe the said depositions or any of them. So help you God.

Henry A. Forman J. P.

And on the 6th day of February Eighteen Hundred and sixty the following agreement was filed to wit:

Crane vs Coleman &c	In Queen Anne's Co. Civil Court I
---------------------------	--

It is agreed that the Commissioner may proceed to the examination of witnesses, on such day as he may appoint, to the interrogatories filed without further notice to us.

P. B. Hopper Solr.
for Complain't
Jono M. Robinson Sol for
Defr.

at the Execution of the annexed Commission issued out of the Circuit Court for Queen Anne's County and to me directed and empowering me to examine evidences in the Cause depending in said Court between David H. Kerans and Noah R. Coleman his at law and James R. Coleman Administrator of Richard Coleman deceased &c. a Forman Commissioner therein named having met on the 8th day of November 1860, at the House of Mr. Smith further notice thereof having been dispensed with as per agreement of Counsel filed, and taken the oath annexed to the said Commission, and having appointed William M. Gurnie my clerk and administering to him the Oath annexed to the said Commission to be taken by him, did proceed then and there in the presence of the Complainant and the infants guardian pendente lite to take the following depositions, Mrs. Alphonsa Smith a witness of lawful age proceeded on the Oath of the Complainant being duly sworn and examined to interrogatories filed with the Commissioner by the Complainant and herewith returned deposes and says. To the first interrogatory that she is acquainted with the parties to this Suit you have known them for six years or longer. Q^d Was or not the late Richard Coleman your husband yes - He the said Richard Coleman died on the twenty ninth day of April 1855 He left surviving him an only son Noah Richard Coleman the party named in this Suit now between five and six years of age, owing nothing but the Real Estate named hereafter 3rd. Did Richard Coleman deceased die seized and possessed of Real Estate yes. of a Farm lying in the second Election District of Queen Anne's County Md. adjoining James R. Coleman containing about one hundred and twenty acre of land and probably worth eight hundred Dollars. Q^d Do you or not know that Dr. Thomas Kerans was his physician and attended him frequently in the year 1854 during the months of August and October, and in 1855 in the month of April - Yes I have examined the account marked "Exhibit A" and believe it to be correct to the best of my knowledge and belief. James D. Hall being duly sworn deposes and saith that he is acquainted with the hand writing of Dr. Thomas Kerans and has seen him write and believes his name on the back of the account marked "Exhibit A" is in his hand writing to the best of his knowledge and belief. The foregoing are true and correct as deposed by the persons therein named

Wm. M. Gurnie Clk

There being no other witnesses to be examined and neither party desiring further time for the production of his evidences the Commissioner closed the said Commission and here-

with returns the same under his hand and Seal this 8th day of November 1860
Henry A. Forman *Seal*

Thereupon the Court passed the following Decree to wit:

David H. Kerane
vs
Heirs at law & admr of
Richard Coleman

In the Circuit Court for Queen Anne's County sitting in Equity

This cause standing ready for hearing and being submitted without argument, the proceedings were read and considered. It is thereupon this 1st day of February in the year eighteen hundred and sixty one by R. B. Learmichael Judge and by the authority of this Court adjudged, ordered and decreed, that the real Estate of Richard Coleman deceased in the proceedings mentioned, or so much thereof as may be necessary for the payment of his debts be sold. That Philemon B. Hopper be and he is hereby appointed Trustee to make such sale, and that the course and manner of his proceeding shall be as follows: He shall first file in the Clerk's Office of this County a bond to the State of Maryland, executed by himself with a surety or sureties to be approved by this Court or the Clerk thereof in the penalty of five 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 mortgaged premises, having given at least three weeks previous notice inserted in some newspaper printed in Queen Anne's 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 hundred and fifty Dollars cash on the day of Sale and the residue of purchase money to be paid in equal installments, in six, twelve, and twenty four months from the day of Sale, the whole to bear interest from the day of Sale and the payments thereof to be secured by the bond or bonds of the purchaser with a surety or sureties to be approved by the Trustee; 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 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 Trustee shall bring into this Court the money arising from 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 suit and such commissions to the said Trustee as this Court shall think proper to allow on consideration of the skill, fidelity and attention wherewith he shall appear to have discharged his trust - And at the time of advertising said Sale, the Trustee is directed to give notice to the creditors of the said Richard Coleman deceased to file their claims with the vouchers thereof with the Clerk of this Court within four months from the day of Sale -

Rich^d. B. Learmichael

Thereupon on the fifth day of March in the year eighteen hundred and sixty three the following Petition was filed to wit:-

David H. Kerane
vs
Noah Richard Coleman
heir at law &c

In the Circuit Court for Queen Anne's County sitting as a Court of Equity.

To the Honble P B Learnichael Judge The Petition of David H levane respectfully suggests that since the decree was passed in this Cause the Defendant Noah Richard Coleman has departed this life, Inas much as much delay has occurred in the execution of the decree by reason of the stay law, he prays your honor to pass an order directing the Trustees to proceed to sell under said decree, that he may not be further delayed by filing a Bill of union or in any other way by making new Parties, as he thinks no injury will be caused by selling without making new parties, as in duty bound &c

P. B. Hopper Solr. for
Complt.

Thereupon the Court passed the following Order to wit:—The foregoing Petition being read and duly considered it is thereupon this 4th day of March in the year eighteen Hundred and sixty three, ordered, that the Trustees proceed to sell the Real Estate mentioned in the proceedings according to the terms of the decree heretofore passed in this cause

Rich^d. B. Learnichael.

Whereupon further process upon the premises aforesaid is further continued until the first Monday of May next at which said first Monday of May in the year eighteen Hundred and sixty three comes into Court here the said David H levane by his Solicitor aforesaid whereupon the said Philemon B Hopper Esquire the Trustee named in the foregoing Decree files in Court here the following bond with the endorsement thereon to wit:— Know all men by these presents, that we Philemon B Hopper, Matthias George & Daniel C Hopper of Queen Annes County in the State of Maryland are held and firmly bound unto the State of Maryland in the full and just sum of five Thousand dollars current money, to be paid to the said State of Maryland or its certain attorney, to which Payment well and truly to be made and done We bind ourselves and each of us our and each of our heirs, Executors and Administrators jointly and severally firmly by these presents, Sealed with our seals and dated this third day of Decr in the year eighteen Hundred and sixty three Whereas by a Decree of the Circuit Court for Queen Annes County sitting as a Court of Equity bearing date the seventh day of February eighteen hundred and sixty one and passed in a cause in said Court wherein David H levane was Complainant and the Heir at law and Administrator of Richard Coleman were Defendants, the above bound Philemon B Hopper was appointed Trustee to make Sale of certain real estate in the proceedings mentioned. Now the condition of the above obligation is such, that if the above bound Philemon B Hopper do and shall well and faithfully perform the trust reposed in him by said decree or that may be reposed in him by any other decree or order in the premises, then the above obligation to be void, otherwise to be and remain in full force and virtue in law

Signed Sealed & Delivered

in the presence of
James B Palmer

Philemon B Hopper
Matthias George
Daniel C Hopper

Seal
Seal
Seal

Whereupon further process of and upon the premises aforesaid is further continued until the first Monday of November next at which said first Monday of November in the year eighteen Hundred and sixty three comes into Court here David H levane by his Solicitor aforesaid and Philemon B Hopper Esquire the Trustee aforesaid made the following report of sales to wit:—

David H levane

vs

The Heirs at law and
Adms of Richard Coleman

To the Hon James B Beand Judge. The Report of P. B. Hopper

per trustee appointed by the deces in this Cause to make sale of the Real Estate therein mentioned, shows that after giving bond with security for the faithful discharge of his trust as required by said deces, and after giving notice of the time, place, manner and terms of sale by advertisement of the *Centreville Times* and "States Rights" two papers published in *Queen Anne's County* for more than three successive weeks before the day of sale, he did pursuant to said notice attend at the Hotel in *Church Hill* on the 25th day of July between the hours of 12 M and 4 P M and there offered the farm of which the said *Richard Coleman* did seized and possessed at public sale, and which said sale *David Alexander* became the purchaser, he being the highest bidder therefor, for and at the price of one thousand and twenty Dollars, and having paid the sum of one hundred and fifty dollars, cash payment, he executed his bond for the residue to be paid as required by the said Deces with *Joseph Gatlin* as his security, and your trustee further reports that at the time of advertising said sale, he gave notice to the Creditors of said *Richard Coleman* deceased to file their claims with the unders thereof in the clerk's office of *Queen Anne's County* within four months from the day of sale which is respectfully submitted

P. B. Hopper Trustee

State of Maryland *Queen Anne's County* to wit: on this 19th day of March in the year eighteen hundred and sixty four before the Subscriber a Justice of the peace of said State in and for said County personally appeared the within named P. B. Hopper Trustee and made oath that the matters and things stated in the foregoing report are true to the best of his knowledge and belief and that the sale was fairly made

Robt O Baynard J.P.

Thereupon the following order of Ratification nisi was passed to wit: In the Circuit for *Queen Anne's County* sitting as a Court of Equity March 19 1864 - Ordered that the sale made and reported by P. B. Hopper Trustee for the sale of the Real Estate of *Richard Coleman* deceased be ratified and confirmed, unless cause to the contrary thereof be shown on or before the tenth day of May next, provided a copy of this Order be inserted in some newspaper printed at *Centreville D. A. Co* and in each of three successive weeks before the tenth day of May next. The Report states the amount of sales to be \$1020.00

Samuel S D Gott Clerk.

In the Circuit Court for *Queen Anne's County*, Ordered this eleventh day of May 1864 that the foregoing sale be finally ratified and confirmed no cause to the contrary thereof having been shown although notice seems to have been given as required by the preceding order. The trustee is allowed the usual commission and his expenses not personal

Filed May 11th 1864.

J. B. Ricards.

and on the twenty fifth day of July in the year eighteen hundred and sixty four the auditor files the following statements of claims account and report to wit: Statement of claims against *Richard Coleman*, in which the dividends from personal estate are deducted from the amts: of claims then ascertained to be due by the Register and the interest added on balances to day of sale of Real Estate, with the addition of claims No 15 + 16 which were not included in the dividend of personal estate

G. W. Sorman use D Alexander

Deduct dividends

Prd	5.02	
	1 10%	
	3 9 1/2%	
	84%	4.76

Int on Bal from Jan'y 60 to 25 July 1863

James L. Coleman		No 2	7 46		
Deduct dividend			1 6 ¹ / ₂ %		
			5 81 ¹ / ₂ %		
Int on bal for same time			1 25%	7	07
Wm. Powers		No 3	42 35		
Deduct dividend			9 31 ¹ / ₂ %		
Int on bal for same time			33 03%		
			7 10%	40	14
Samuel Postwick		No 4	4 22		
Deduct dividend			9 2 ¹ / ₂ %		
Int on bal for same time			3 27 ¹ / ₂ %		
			7 11%	4	01
John A. Brown		No 5	36 35		
Deduct dividend			7 9 ¹ / ₂ %		
Int on bal for same time			28 35%		
			6 09 ¹ / ₂ %	34	45
John Leasons use Thomas Ghairs		No 6	6 45		
Deduct dividend			1 41 ¹ / ₂ %		
Int on bal for same time			5 03 ¹ / ₂ %		
			1 08 ¹ / ₂ %	6	12
Joseph or Leasons		No 7	6 38		
Deduct dividend			1 40%		
Int on bal for same time			4 9 ¹ / ₂ %		
			1 07 ¹ / ₂ %	6	05
John Donovan Jr		No 8	1 28		
Deduct dividend			2 8%		
Int on bal for same time			9 9 ¹ / ₂ %		
			2 1%	1	21
W. C. M. Newman		No 9	8 00		
Deduct dividend			1 46		
Int on bal for same time			6 24		
			1 34	7	58
Wm. Soullers		No 10	15 24		
Deduct dividend			3 35 ¹ / ₂ %		
Int on bal for same time			11 88 ¹ / ₂ %		
			2 54%	14	43
John M. C. Leany		No 11	21 35		
Deduct dividend			4 69 ¹ / ₂ %		
Int on bal for same time			16 65%		
			3 56 ¹ / ₂ %	20	22
Geo W. Foreman use D. H. Evans		No 12	51 44		
Deduct dividend			11 31 ¹ / ₂ %		
			40 12 ¹ / ₂ %		

Int on bal for same time			59 ¹⁰ / ₁₀₀	48	72
Same use Same	No 13	19	13		
Deduct dividend		4	18 ¹⁰ / ₁₀₀		
		14	84 ⁶ / ₁₀₀		
Int on bal for same time		3	18 ¹⁰ / ₁₀₀	18	03
George Sheats	No 14	14	13		
Deduct dividend		3	10 ¹⁴ / ₁₀₀		
		11	02 ⁷ / ₁₀₀		
Int on bal for same time		2	37 ¹⁰ / ₁₀₀	13	40
Mr Smith use D H Kerans	No 15	17	25		
Int from 1 st Jan'y 55 to July 25 1863		8	86		
Probate & allowance			30	26	41
Thos Kerane use Same	No 16	52	00		
Int from 26 Oct 1855 to same time		24	15		
Probate			10	76	25

David H Kerane
 vs
 Heir at law &
 Admr of Richard Coleman decd

In the Circuit Court for D, H Ker sitting as a
 Court of Equity.

To the Hon J B Ricard Judge

The Auditor respectfully reports that he has examined the proceedings in this
 cause and has therefrom papered the following account between the Real Estate
 mentioned in the proceedings and the Trustees for the sale thereof; in which
 he has allowed to the trustee his commission and expenses to the complainant
 and Defendants each their costs of suit to the Register his fee for copy and to
 the Auditor his fee for stating acct &c; He next allowed to the several Creditors
 the amounts of their several balances with interests, after deducting the dividend
 on the Personal estate, as also claims Nos 15 & 16 which received no part of
 the Personal Estate, and which therefore were allowed in full, These allowances
 left a balance of five hundred and thirty four Dollars and five cents to be
 distributed to the parties entitled thereto, in regard to whom the Auditor is
 not sufficiently informed to make the distribution, It is therefore left for a fur-
 ther account when the heirs are sufficiently designated, all of which the Au-
 ditor submits to the Court

P B Hopper Auditor
 July 23rd 1864.

Dr. The Real Estate of Richard Coleman decd. in acct with P B Hopper
 Trustees for the sale thereof

		Dols cts	
1863	To the Trustees for his commissions	68	90
July 25	To the Trustees for his Expenses	17	50
	To the complainants for their costs of suit viz	11	
	Mr Brown clk	11	10
	J Wothers clk	1	15
	J E Doyott clk	6	80

	80		
Sheriff			
Solicitor	20 00		
Costs on Comm. to take testimony to the Defendants for their costs viz	8 00	47	85
M Brown Clk	6 25		
Jas Wooters Clk	50		
Saml E Dyott 1	1 10		
Solicitor	10 00	17	85
To the Register of Wills for Copy of Dividend			70.
To the auditor for this account &c		4	50.
To G W Forman use D. H levane for bal of claims No 1		4	76
To James R Coleman " " " " No 2		7	07
To Dr. Powers " " " " No 3		40	14
To Samuel Bostwick " " " " No. 4		4	01
To John A Brown " " " " No. 5		32	45
To John Parsons use of Thomas Chairs " " " " No. 6		6	12
To Joseph M Parsons " " " " No. 7		6	05
To John Donovan f- n " " " " No 8		1	21
To D. C M Wainam " " " " No 9		7	58
To Wm Faulkner " " " " No 10		14	43
To John Mc Leary " " " " No 11		20	22
To Gen W Forman use D H levane " " " " No 12		48	72
To Same use Same " " " " No 13		18	03
To George Deats " " " " No. 14		13	40
To Wm Smith use D H levane " " " " No. 15		26	41
To Thomas H levane use same " " " " No 16		96	25
To balance to be distributed to heirs at law			534 05.
			1020 00
1863 July 25	By amt of proceeds of sale as per Trustees Report		1020 00
			1020 00

Thereupon further process of and upon the premises aforesaid is further contin-
ued until the first monday of November next at which said first monday
of November in the year Eighteen hundred and sixty four; comes into court
here David H levane by his Solicitor aforesaid and the Auditor files in Court
here his second report and account in the words following to wit:-

David H Crane
vs
Noah Richard Coleman
Heirs at law and James
R Coleman admr. of Richard
Coleman decd

In the Circuit Court for Queen Anne's County
sitting as a Court of Equity-

To the Honorable J. B. Reaid Judge,
The Auditor reports that the balance of the former account after the Payment of ex-
penses, Comms, costs and the claims of the Auditor was \$534.05. From this sum he
deducted a balance of Trustees account for expenses not before allowed, Clerks
costs on additional proceedings and Auditors fee for stating this account.
The death of Noah Richard Coleman made it necessary that the Auditor ascer-
tain his heirs at law for distribution of the balance, and to this end files the affi-

deed of Thomas St Hendrix setting them forth, which agrees with other accounts furnished to the Auditor in regard to them. From this Affidavit it appears that the said Noah Richard Coleman left James Coleman an uncle, Jane Hawkins wife of Taylor Hawkins an aunt Joseph Thomas Coleman an Uncle, Margaret Rebecca Lesage Wife of David Lesage an aunt, Arrett, Juliana, James and Madison Smith children of Caroline Smith who was an aunt but who died before the said Noah Richard and Joseph Sparks a son of Ann Sparks an aunt who died before the said Noah Richard all descendants of the Grand Father on the part of said Noah Richard's Father. Under the decision of the Court of Appeals the Auditor has divided the said balance among the Uncles and Aunts of said Noah Richard or their alienees to the exclusion of his cousins. Children of Caroline Smith and Ann Sparks his deceased aunts. The land records of the County disclose that David St Lévane is the alienee of James Coleman Martha Rebecca Lesage and her husband David Lesage and of Joseph Thomas Coleman, and he accordingly allotted their shares to him, He allotted the remaining fourth to Jane Hawkins wife of Taylor Hawkins, all of which is respectfully submitted

P. B. Hopper Auditor
Oct 31st 1864.

Dr. the Real Estate of Richard Coleman deceased in acct with P. B. Hopper Trustee for the Sale thereof &c.

To the Trustee for balance of expenses acct not allowed in former account as per statement of expenses filed and vouchers			3	50
To Samuel E Dyatto Clerk for fees on this the second account			1	85
To the Auditor for stating this account & for services for obtaining testimony as to the heirs of Noah Richard Coleman			1	85
			<u>4</u>	<u>50</u>
			9	85
To David Henry Crane Alienee of David Lesage and Martha Rebecca Lesage his wife, the said Martha Rebecca being acct of said Noah Richard 1/4 of the balance			131	05
To David St Crane, Alienee of James Coleman an uncle of said Noah Richard 1/4 of balance			131	05
To David St Lévane, Alienee of Joseph Thomas Coleman an uncle of said Noah Richard 1/4 of the balance			131	05
To Jane Hawkins wife of Taylor Hawkins the said Jane being an aunt of said Noah Richard 1/4 of the balance			131	05
			<u>534</u>	<u>05</u>
			Dols	Cts
By balance on former account to be distributed among the heirs at law after deducting additional costs & expenses not before allowed.			534	05
			<u>534</u>	<u>05</u>

P. B. Hopper Auditor
Oct 31 1864.

And afterwards at Levent passed the following order to wit:
Ordered this 6th day of December 1904 that the foregoing Auditors Report
be finally ratified and confirmed, and the Trustee is directed to pay accor-
dingly.

J. M. Robinson.

5175
451

5626

Thomas Mallalieu and
Mary his wife

vs

W^m Benjamin P Walters

Be it remembered that on the twenty third day of January
in the year eighteen hundred and sixty four. Thomas
Mallalieu and Mary Mallalieu his wife by Ma di-
ron Brown and John B Brown Esquires their Solicit-
tors filed in Queen Annes County Circuit Court sit-

ting as a Court of Equity their Bill of Complaint against William Benjamin
P Walters, in the following words to wit: To the Honorable Richard B Leamm-
ichael Judge of the Circuit Court for Queen Annes County in Chancery.

The Bill of Complaint of Thomas Mallalieu and Mary Mallalieu his wife
of Queen Annes County to your Honor humbly shews: that your Orator Thomas
Mallalieu is seized of an undivided moiety in fee of a tract or tracts or parts
of tracts of land situated in said County called Leomway and Leomway Cross
or by whatsoever name or names the same may be called and containing
one hundred and fifty acres of land more or less and that William Benja-
min P Walters of Queen Annes County Maryland is seized in fee of the
undivided moiety: that the said Thomas Mallalieu and the said William

Benjamin P Walters are tenants in common and that the said W^m
Benjamin P Walters is an infant under twenty five years of age. Your Orator
charges that it will be for the interest and advantage of the said William
Benjamin P Walters as well as of your Orator and Oratrix that a petition
be made between them of the aforesaid premises but that the said William
Benjamin P Walters being an infant under the age of twenty one years

Your Orator and Oratrix are advised that a firm partition cannot be made
of said lands without the interposition of this Court. To this end therefore
that the said ^{William} Benjamin P Walters may answer the premises and that a
Decree may be passed by for a partition of said lands between the said
William Benjamin P Walters and your Orator, according to their respective
interests as before stated and that your Orator and Oratrix may have such
other and further relief as their case may require. May it please your
Honor to grant unto your Orator and Oratrix the states Writ of subpoena
against the said William Benjamin P Walters of Queen Annes County,
Commanding him to appear in this Court at some certain day to be
therein named, to answer the premises and abide by and perform such
decree as may be passed therein and as in duty your Orator and Oratrix
will ever pray &c

M + J. B Brown
Sols for Complainants,

Whereupon summons was issued for the said William Benjamin P Walters
according to the prayer of the Complainant which said summons was returned
on the twenty sixth day of January in the year eighteen hundred and
sixty four the said summons was returned with the following endorse-
ment to wit: "Summoned W^m J. Ford Sheriff."

Whereupon further process of and upon the prem-
ises aforesaid is further continued until the first Monday of May next,
at which said first Monday of May in the year eighteen hundred and six-
ty four comes into Court here the said Thomas Mallalieu and Mary his
wife by their Solicitor aforesaid. And the said William Benjamin P Walters
appears in Court here and being a minor the Court appoints Thomas
J Keating Esquire Guardian to answer and defend for him, And the said
Thomas J Keating as Guardian for the said William Benjamin P Walters
files in Court here his answer to the said Bill of Complaint in the follow-

ing words to wit: To the Honorable Judge of the leircuit court for Queen Annes leou-
ty. The answer of W^m Benjamin P Walters an infant under the age of twenty
one years by Thomas J Keating his Guardian to the Bill of Complaint of Thomas
Wallalieu against him in chancery exhibited, this Defendant cannot admit
any of the matters and things in the said Bill alleged and being an infant
submits his rights to the protections of this leourt

Thos J Keating

State of Maryland Queen Annes leourty to wit: - On this 6th day of May eigh-
teen hundred and sixty four the above named Thomas J Keating personally
appeared before the Subscrber a Justice of the Peace of the State of Maryland
in and for Queen Annes leourty and made oath that the matters & things
stated in the foregoing answer are true to the best of his knowledge and
belief

Cost to be paid

Just Rowlenson J P.

Thereupon the following Agreement was filed to wit: -

Thomas Wallalieu	In leircuit leourt for Queen Annes leourty in Equity.
vs	
W Benjamin P Walters	

We the undersigned, Solicitors for complainants and
Defendants respectively, agree that a commission issue forthwith to James Hoot-
ers Esq of Queen Annes leourty to take testimony in this cause

May 7. 1864

J B Brown Soli: for Complainants

Jno W Robinson Soli: for Defs

Whereupon a commission was issued in the form following to wit: -

Queen Annes leourty, to wit: - The State of Maryland to James Hooters of Queen
Annes leourty, Greeting: Be it known that you are appointed Com-
Seals Place missioner to examine evidences in a cause depending in the leir-
leuit leourt for Queen Annes leourty, between Thomas Wallalieu and
Mary, his wife, Complainants and William Benjamin P Walters, Re-
spondent. You are therefore hereby required, having first taken the oath hereto
annexed, and also administered the annexed oath to the person whom you shall
appoint as clerk to attend the execution of this commission, that at such time
and place as to you shall seem convenient, you cause to come before you all
such evidences as shall be named and produced to you by either the Com-
plainants or Respondent, and that you examine them on their corporal
oaths, to be by you administered upon the Holy Evangelys of almighty God,
touching their knowledge or remembrance of any thing that may relate to the
cause aforesaid; and that you cause notice to be given to the parties or their
Solicitors of the execution of this commission before you execute the same;
and having reduced the depositions of the witnesses so taken by you into writing
You send the same with this commission, closed under your hand and seal,
to the said leircuit leourt with all convenient speed: Witness the Honorable
James B Ricard Judge of the leircuit . the second day of May eighteen
hundred and sixty four

Spued the 7th day of May 1864

Samuel E Dyatt, lelevk,

Commissioners Oath

You James Hooters, shall, according to the best of your skill and knowledge,
truly, faithfully, and without partiality to any or either of the parties in this
cause, take the examinations and depositions, of all and every the witnesses
produced and examined by virtue of the commission hereto annexed, upon

the interrogatories now, or which may hereafter before the said Commission is closed, be produced and left with you, by either of the said parties. So help you God

leut 50 p d

Sworn before
Clerks Oath

John Rowleson J P.

You shall truly, faithfully and without partiality to any or either of the parties in this cause, take, write down and transcribe the depositions of all and every the witnesses produced & sworn and examined by the Commissioner named in the Commission hereunto annexed, as far forth as you are directed and employed by the said Commission to take, write down and transcribe the said depositions, or any of them, So help you God

Sworn before

And upon the seventeenth day of May in the year eighteen hundred and sixty four

Thomas Mallalieu & Wife Circuit Court for Queen Annes County In Chancery

vs

Wm Benjamin P Walters

It is agreed that the Bill, answer & testimony in this Cause be submitted without argument for and interlocutory Decree

John B Brown Solr for Compts.

John M Robinson Solr for

W B Walters.

And upon the nineteenth day of May in the year eighteen hundred and sixty four James Woollers made return to the Court at the execution of the said Commission in the manner following to wit:-

Thomas Mallalieu & Wife In the Circuit Court for Queen Annes County, In Chancery.

vs

Wm Benjamin P Walters

Questions to be propounded on the part of the Complainant,

1st Are you or not acquainted with the parties to this Cause? 2nd Are you or not related to either of them? and if to either, to which one? what is the relationship? 3rd Look into the paper marked Exhibit A, the same being a copy of the Will of the late Samuel C Walters and say if the devise mentioned therein as the testatrixs son, Benjamin Walters is or is not the same person with the Defendant William Benjamin P Walters? 4th Do or not the defendant under twenty one years of age? 5th Look at the paper marked Exhibit B and say whether or not the land therein mentioned is or is not the same land devised by the aforesaid Will of Saml C Walters to his two sons Samuel Walters & Benjamin Walters?

W B Brown & John B Brown
Solr for Complt.

To the Honorable, James B Poaird Judge of the Circuit Court for Queen Annes County. At the execution of the annexed Commission, issued out of the Circuit Court for Queen Annes County, and to me directed, empowering me to examine evidences in this cause depending in the said Court, between Thomas Mallalieu, and Mary, his wife, Complainants and William Benjamin P Walters Defendant, & James Woollers, Commissioner therein named,

having taken the oath annexed to the said commission, and having given notice to the Solicitors of the parties, did, at Leontreville, in Queen Anne's County, on the seventeenth day of May eighteen hundred and sixty four, proceed to take the following depositions.

James E Wallens, a witness of lawful age produced and examined on the part of the Complainants, to interrogatories filed with and returned by the Commissioner, being duly sworn deposes and says

To the first interrogatory he is. To the second interrogatory, Is a brother to the Respondent. To the third Interrogatory, He is. To the fourth interrogatory, He is. To the fifth interrogatory, It is,

James E Wallens.

George S Burgess, a witness of lawful age, produced and examined on the part of the Complainants to interrogatories filed with and returned by the Commissioner, being duly sworn deposes and says,


To the first Interrogatory, He knows all the Parties except Mary Mallalieu. To the second Interrogatory, Not related to either of them. To the third Interrogatory, He is. To the fourth Interrogatory, He is. To the fifth Interrogatory, It is.

George S Burgess.

The Complainants Solicitors filed with the Commissioner, Exhibits "A" "B" & "C" which are herewith returned. There being no other witnesses to be examined, and neither party desiring further time for the production of evidences, the Commissioner closed the said commission returns the same under his hand and Seal this 17th day of May 1864.

Costs.

Commission	\$4.05
Witnesses	1.50
Sheriff	90 ³ \$6.45

James Wallens 
Commissioner.

The Exhibits "A" "B" and "C" referred to in the foregoing return of the Commissioner are in the following words to wit: In the name of God, Amen, I Samuel Le Wallens of Q. Anne's County in the State of Maryland, being sick and weak in body, but of sound and disposing mind, memory and understanding, considering the certainty of death, and the uncertainty of the time thereof, and being desirous to settle my worldly affairs, and thereby to be better prepared to leave this world, when it shall please God, to call me hence, do therefore make and publish, this my last Will and Testament, in manner and form following, that is to say, First and principally, I commit my soul into the hands of Almighty God, and body to the earth to be decently buried and after my debts and funeral charges are paid, and my wife's heirs are taken out, I give and bequeath as follows—

Item— I give and devise to my son James E Wallens, all the landing property with the improvements, thereon, this property is to be laid out by commencing at a clump of locust trees, standing at the head of a ravine in the lot now occupied by John Kolph and running in a straight line to a Poplar tree, standing near the lot now occupied by Risdon Crossley, to them, and their heirs forever—

Item And I give and devise to my daughter Anna E Wallens the Sandtown Property of three lots with all the improvements upon them, to her, and her heirs forever— Item 3rd I give and devise to my two sons Samuel Wallens and Benjamin Wallens the balance of my real Estate to be equally divided between them, share and share alike. — Item 5th And I do hereby constitute and appoint my son James E Wallens to be sole executor of this my last will

and Testament, revoking and annulling all former Wills by me heretofore made and confirming this and none other to be my last Will and Testament, In Testimony whereof I have hereunto set my hand and affixed my Seal this thirteenth day of December in the year of our Lord, one thousand eight hundred and fifty three, —

Signed, Sealed, published and declared by Samuel C. Walters the above named testator, as and for his last Will and Testament in the presence of us, who at his request, in his presence of each other have subscribed our names, as witnesses thereto.

Saml. C. Walters. ^{signed} _{Seal}

Thomas Sapp & T. Raisin
David R. Longfellow

Queen Annes County, Set February 10th 1854. Then came Thomas Sapp and T. Raisin, two of the subscribing witnesses to the foregoing Will, and severally made oath on the Holy Evangelij of Almighty God, that they did see Samuel C. Walters, the Testator therein named sign his name to the foregoing Will, that they heard him publish, pronounce and declare the same to be his last Will and Testament that at the time of so doing he was to the best of their apprehensions of sound and disposing mind, memory and understanding and they subscribed their respective names, as witnesses, and saw David R. Longfellow subscribe his name, as a witness to the said Will in the presence of each other, and in the presence of the Testator and at his request. —

Saml. T. Harrison. Reg. Wills
For Queen Annes County.

Queen Annes County Set. January 24th 1854 then came J. E. Walters, the Executor within named, and made oath on the Holy Evangelij, of Almighty God, that the foregoing is the true & whole last Will and Testament of Saml. C. Walters, late of Queen Annes County, decd., that has come to his hands, or possession, and that he does not know of any other

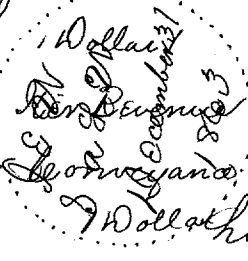
Saml. C. Harrison. Reg. Wills
For Queen Annes County

In Testimony that the foregoing is a true copy from the original — now on file in my office, I have hereunto set my name, affixed my official Seal, this 6th day of May 1864.



W. A. Johnson, Reg. Wills, for
Queen Annes County.

Queen Annes County to wit: — Be it remembered that on the fifth day of January in the year of our Lord one thousand eight hundred and sixty four the following Deed, was brought to be recorded to wit: —



This Deed made this thirty

first day of December in the year eighteen hundred and sixty three by us James E. Walters and Sarah A. Walters his wife, of Queen Annes County and State of Maryland that in consideration of the sum of fourteen hundred dollars in hand paid by Thomas Mcallalieu of the County and State aforesaid to the said James E. Walters and Sarah A. Walters his wife do grant unto the said Thomas Mcallalieu an undivided moiety in fee simple, of, in, and to all those tracts or parcels of land called "Leomway" and Leomway Close, or by whatever name or names the same may be called, situate in the First Election District of Queen Annes County and lying on both sides of the

Public Road leading from Mallalieu's Mill to Leoprage's Landing, adjoining the lands of Mallalieu and Brother Ridgely Cropley & others and containing one hundred and fifty acres more or less, it being the same land that was conveyed or intended to be conveyed to the said Sarah A L Walters by Samuel C Walters by Deed dated the fourth day of May eighteen hundred and sixty three and recorded in Liber M B No 2 folio 327 - one of the Land Record Books of Queen Anne's County, and which was devised by Samuel C Walters late of said County deceased, to his two sons Samuel C Walters and William Benjamin Walters by his last will and testament, duly proved and recorded in the office of the Register of Wills of Queen Anne's County, dated the tenth day of December in the year eighteen hundred and fifty three, and the said James E Walters and Sarah A L Walters his wife for themselves, their heirs, executors and administrators do hereby covenant with the said Thomas Mallalieu, his heirs, and assigns that they will execute any further conveyance that may be requisite, at his or their instance and expense - as witness our hands and seals the day and year first above written.

Witness

A. P. Sollaway

James Walters

Sarah A L Walters,



State of Maryland Queen Anne's County to wit: - I hereby certify that on this 31st day of December eighteen hundred and sixty three before the Subscriber a Justice of the Peace of the State of Maryland in and for Queen Anne's County personally appeared James E Walters and Sarah A L Walters his wife parties grantors within named and did each acknowledge the foregoing Deed to be their respective act, Acknowledged before

A. P. Sollaway J.P.

State of Maryland, Queen Anne's County to wit: - I hereby certify, that the above, is truly copied from Liber S. & D. No 1 folio 36 one of the Land Records for Queen Anne's County. In testimony whereof I hereto subscribe

Seals Place

my name and the Seal of the Circuit Court for Queen Anne's County affix this 7th day of May 1864



Samuel E Dyatt Clerk.

Copy - 50 cts

Cent & Seal 25

Stamp 5/80

Queen Anne's County to wit: - Be it remembered that on the nineteenth day of May in the year of our Lord one thousand eight hundred and sixty three, the following Deed was brought to be recorded to wit: This Deed made this fourth day of May in the year of our Lord eighteen hundred and sixty three between Samuel C Walters of Queen Anne's County Maryland, and Sarah A L Walters wife of James E Walters of the same County and State aforesaid, Witnesseth, that in consideration of the sum of thirteen hundred dollars, current money of the State of Maryland, doth grant unto the said Sarah A L Walters, in fee simple, all of his undivided interest in part of two tracts or parcels of land lying and being in the first Election District of said County, in his parts divided by the main Road leading from Mallalieu's Mill to Leoprage's Landing as will more fully appear by reference to deed from Wm H Foster and wife to Saml. C Walters dect. dated 31st day of January 1848 called and known by the name of "Leomway" the other part of said two tracts as appears by plot is called "Leomway lelop" or by whatsoever name or names the said two parts of tracts or parcels of land may be called, containing one hundred and fifty acres of land more or less, said land being bequeathed to Saml. C & Wm B. P.

by the late Saml. le Walters decd and the said Saml. le Walters on his Grant for his undivided one half of the said two parts or parcels of said undivided lands do covenant that he will warrant the premises hereby conveyed, and will give further assurances if required. Witness my hand and Seal this day above written

Attest. Robert J Booker
 Robert Booker

Saml. le Walters ^{writing} {Seal}

State of Maryland Queen Anne's County to wit: I hereby certify that Saml. le Walters appeared before the Subscriber one of the Justices of the Peace of the County and State aforesaid, and as being one of the heirs to the within undivided, part or two parts of the within named two tracts of land as described in the within deed, and acknowledged the foregoing to be his respective act.

(May 4th 1863)

Robert Booker.

State of Maryland Queen Anne's County to wit: I hereby certify that the above is truly copied from Liber M B to 2 folio 327 one of the land Records of Queen Anne's County. In testimony whereof, I thereto subscribe my name, and the Seal of the Circuit Court affix, this 7th day of May 1864.

Seals Place
 Stamp
 Lotry 39
 Gent & Seal 25
 Stamp 5/9

Samuel E Dyett Clerk

Thereupon the Court passed the following Interlocutory Decree to wit:

Thomas Mallalieu & Wifs
 vs
 Wm. Benjamin P Walters

In the Circuit Court for Queen Anne's County In the 1st Term May Term 1864.

This cause standing ready for hearing and being submitted without argument, the proceedings were read and considered. It is thereupon this 18th day of May eighteen hundred and sixty four by the Circuit Court for Queen Anne's County and by the authority thereof ordered and decreed that there be a partition of the Real Estate in the proceedings mentioned called Conway leomay leoss or by whatsoever name the same may be called between Thomas Mallalieu and William Benjamin P Walters in equal moieties in value at the present time but exclusive of the value of any improvements which may have been made by the original devisees of the late Samuel le Walters or of any person claiming under them or either of them. So that one half part thereof in value shall be allotted to the complainant Thomas Mallalieu and the other half thereof to the Defendant William Benjamin P Walters. And to enable this Court to make the said partition, it is further adjudged, ordered and decreed that a Commission issue conformably to the above directions to Lemuel Roberts, John W & Sudler, Robert B Price John le Hackett and William Barnes Esq of Queen Anne's County authorizing them or any four or three of them to enter upon, walk over and survey the said Real Estate and to divide the same into two equal parts having regard to quantity and quality but excluding the value of any improvements above mentioned. Whereof one part shall be allotted to the complainant Thomas Mallalieu and the other part to the Defendant William Benjamin P Walters and that the said Commission make out or cause to be made out a Plot and certificate of said Real Estate and of the division thereof with the beginning and courses and an accurate description of the same and the parts thereof and to the said Commission: there shall be annexed the usual oath of office.

J. B Ricard.

The undersigned appointed by your honor to divide and value the real estate of
of the late Saml. W. Walters between Thomas Mallalieu and William Benjamin
Walters Esq leaves to submit this Report, according to direction they proceed
ed to view the land and called upon the County Surveyor to survey and
divide the same. The return of the Surveyor which is herewith submitted as
part of our Report, will show that the quantity of land to be one hundred
and eighty seven acres two rods and fourteen perches of land, and that by
the direction of your Commissioners the surveyor divided the same into
two parts by the Public Road running from Millington to Kirby's Landing
and that they have allotted to William Benjamin Walters all on the north
side of said Road containing one hundred and one acres two rods and twenty
one perches of land, and to Thomas Mallalieu, all on the south side of
said road containing eighty five acres three rods and thirty three perches of land.
They estimate the value of each portion to be the same nearly twenty two hun-
dred dollars, All which is respectfully submitted

July 30: 1864.

Bill of expenses

Genl. Roberts 2 dys	4.00
J. W & Sudler 2 dys	4.00
R. B. Peirce 2 dys	4.00
John Hackett 2 dys	4.00
Wm. Barnes 2 dys	4.00

Surveyor 2 dys. certificates
Plot &c - 31 6.00

Wm. Stinson chain carrier
2 dys 2.00

John Blackston 190 1 day ~~but for~~
39.00

Genl. Roberts Seal
John W & Sudler Seal
R. B. Peirce Seal
John C. Hackett Seal
William Barnes Seal

Accompanying the foregoing Return was

the following Certificate and Plot to wit: State of Maryland Queen Anne's
County Cert: I hereby certify that I have surveyed for Lemuel Roberts, John W
& Sudler, Robert B Peirce, John C Hackett and William Barnes Esqrs (Commis-
sioners) appointed by the Circuit Court of Queen Anne's County to survey di-
vide and value the Real Estate of Samuel W Walters deceased, a tract of land
called "Longway before" situated in the upper part of said County upon the
head waters of Chester River and contained within the following metes and
bounds, courses and distances to wit: Beginning in the Public Road from
Church Hill to Millington opposite a stone on the north side of said Road
and running thence South thirty five degrees West six perches to the Road
running to Kirby's Landing thence with that Road South seventy three
degrees West one hundred and eighty five perches. thence North nine degrees
West sixty two perches. thence North thirteen degrees East fifty eight perches
to Chester River thence with the River North thirty four degrees East eleven
perches. North twenty one degrees East eleven perches. North thirty perches. North
twenty eight degrees West five perches. North fourteen degrees East thirty
perches North nineteen degrees thirty minutes West ten perches. North seventy
three degrees West seventeen perches North sixty degrees East nineteen perches,
North seventy seven degrees East six perches. South seventy seven degrees
East eight perches. North eighty degrees East four perches, South sixty degrees
East six perches. thence North eighty five degrees East thirty three perches, thence
South fifty seven degrees forty five minutes, East one hundred and thirty
four perches to the Branch. thence up the stream of the Branch South

twenty seven degrees East sixteen perches, and South seventy five degrees East eight perches, South two degrees West five perches, South fifty degrees East six perches, and South seven degrees East six perches to the main road thence with the road South twenty eight degrees West twenty two perches, and South sixly five degrees West twelve perches and North eighty four degrees West twenty two perches and a half perch and thence South twenty two degrees East sixty two perches to the Beginning, containing one hundred and eighty seven acres two rods and fourteen perches of Land. I then divided the same into two tracts Nos 1 and 2 by the Public Road from Mallalieu's Mill to Lechpages Landing as follows. Beginning at the end of the twenty sixth line and running thence North eighty five degrees West sixteen perches and South seventy seven degrees West forty four perches and South eighty eight degrees fifteen minutes West eighty eight perches and six tenths of a perch to the end of forty perches on the fourth line of the whole tract, No 1 being the part lying North of said road contains one hundred and one acres, two rods and twenty one perches, and No. 2 eighty five acres, three rods and thirty three perches of land. The above lines were run by the holding except the eighteenth line which was not run, but estimated as a straight line by direction of the Commissioners, the beginning and ending of the line being known but not the course and distance.

James W Thompson
 Surveyor of S. A. Co
 July 30th 1864.

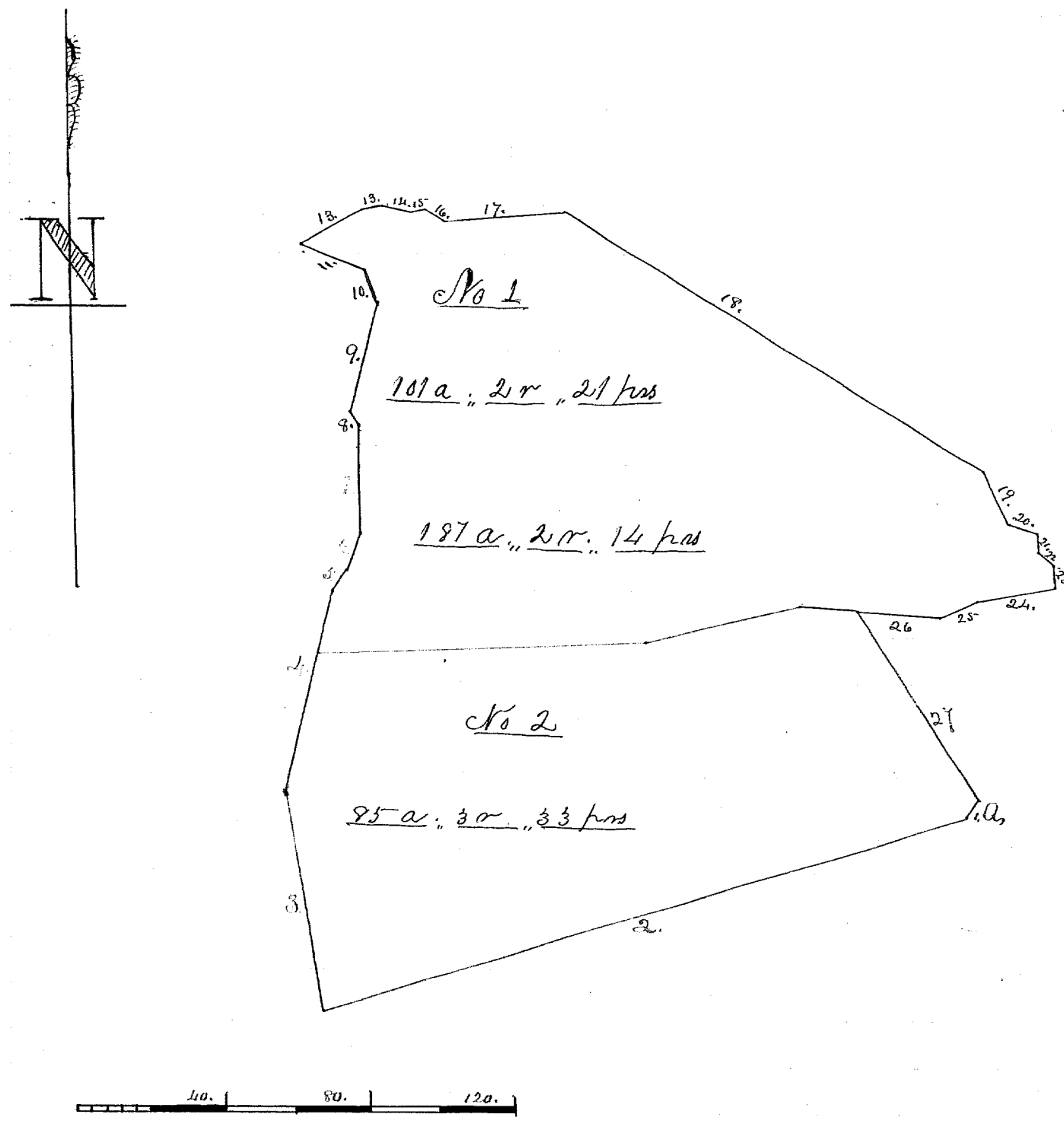


Table of courses		
S	Bearings	Distances
1	S. 35° W.	6 pns
2	S. 73° W.	185 "
3	N. 9° W.	62 "
4	N. 73° E.	58 "
5	N. 34° E.	7 "
6	N. 21° E.	11 "
7	North.	30 "
8	N. 28° W.	5 "
9	N. 14° E.	30 "
10	N. 19° 30' W.	10 "
11	N. 73° W.	17 "
12	N. 60° E.	19 "
13	N. 77° E.	6 "
14	S. 77° E.	8 "
15	N. 80° E.	4 "
16	S. 60° E.	6 "
17	N. 95° E.	33 "
18	S. 57° 25' E.	134 "
19	S. 27° E.	16 "
20	S. 75° E.	8 "
21	S. 2° W.	5 "
22	S. 50° E.	6 "
23	S. 7° E.	6 "
24	S. 78° W.	22 "
25	S. 65° W.	12 "
26	N. 84° W.	22 1/2 "
27	S. 82° E.	62 "
		187 a. 2r. 14 pns

James W Thompson
 Surveyor of S. A. Co.
 July 30th 1864.

Thereupon further process of and upon the premises aforesaid is further continued until the first monday of November next, at which said first monday in the year eighteen hundred and sixty four comes into court here the said Thomas Mallalieu and Mary his wife by their Solicitor aforesaid, And upon the fifteenth day of November in the said year the following Agreement is filed to wit: Thomas Mallalieu & Mary, In Circuit Court for Queen Annes County in Equity.

vs
W^m Benjamin P Walters

for Term 1864 W^m hereby agrees to submit the papers in this cause for a decree without argument, and consent to a decree in accordance with the division and allotment made by the Commissioners.

John B Brown Sol^r
For Complt
Jno M Robinson Sol^r for B. P Walters.

Thereupon the court passed the following Decree to wit: Thomas Mallalieu & Mary, In Circuit Court for Queen Annes County in Equity. Mallalieu, his wife November Term 1864.

vs
W^m Benjamin P Walters

This cause standing ready for hearing and being submitted without argument, and no exceptions having been taken to the return of the Commissioners appointed to make partition of the Real Estate mentioned in the proceedings as allowed by the rules of this court, the proceedings were read and considered. It is thereupon this fifteenth day of November in the year eighteen hundred and sixty four by the Circuit Court for Queen Annes County in Equity and by the authority thereof, and with the consent and agreement of the Solicitor for Complainant and Defendant respectively, adjudged ordered and decreed that the return of the Commissioners appointed to make partition of the Real Estate in the proceedings mentioned and the partition by them made, &c and the same is hereby finally ratified and confirmed. And it is further adjudged, ordered and decreed that the Complainant, Thomas Mallalieu, shall hold in severally and not jointly or in common with the Defendant to this suit, all that portion of the Real Estate in the proceedings mentioned which is described in the aforesaid return of Commissioners and the Plat and Surveyors certificates accompanying same therefore filed in this cause as Lot No. 2, being all that part of said tract or tracts of land called in the Bill of Complaint "Conway" and "Conway lease" or by whatsoever other name or names the same may be called or known, which lies on the South side of the Public Road from Millington to Kirby's Landing, beginning for same in the Public Road aforesaid, at the end of the twenty sixth line of the whole tract as same is described in aforesaid Plat and Surveyors certificate thereof, and running thence with the last line of said whole tract South thirty two degrees East sixty two Perches to the Beginning of said whole tract described as aforesaid, and thence with the first and other lines of said whole tract as follows, South thirty five degrees West six Perches thence South twenty three degrees West one hundred and eighty five Perches, thence North nine degrees West sixty two Perches, thence North thirteen degrees East to the end of forty Perches on the fourth line of said whole tract and then with the lines of the Public Road aforesaid reversed, as follows, North eighty eight degrees Fifteen min.

ites East eighty eight Perches and six tenths of a Perch, thence North seventy seven degrees East forty four Perches, thence South eighty five degrees East sixteen Perches to the aforesaid place of Beginning and end of said twenty sixth line of said whole tract, containing eighty five acres, three rods and thirty five Perches of land and it is further adjudged, ordered and decreed that W^m Benjamin P. Walters, the Defendant, shall hold in severally and not jointly or in common with the Complainants to this Suit and free and discharged of all incumbrances claim or title of Dower therein of Mary Mallalieu, wife of Thomas Mallalieu, all that portions of said Real Estate called Leomway or Leomway below or by whatsoever other name or names the same may be called or known which is described in the aforesaid Plat and Surveyors Certificate as Lot No. 1, and as lying on the north side of said Public Road from Middlington to Kibby Landing. Beginning for the same in said Public Road at the end of the twenty sixth line of said whole tract described in aforesaid Plat and Surveyors Certificate thereof and running thence with the lines of said Public Road North eighty five degrees West sixteen Perches, thence South seventy seven degrees West forty four Perches, thence South eighty eight degrees fifteen minutes West eighty eight Perches and six tenths of a Perch to the end of forty Perches on the fourth line of said whole tract; and thence with the lines of said whole tract as follows; North thirteen degrees East eighteen Perches to the end of said fourth line of the whole tract, thence North thirty four degrees East seven Perches, thence North twenty one degrees East eleven Perches, thence North thirty Perches, thence North twenty eight degrees West five Perches, thence North fourteen degrees East thirty Perches, thence North nineteen degrees thirty minutes West ten Perches, thence North seventy three degrees West seventeen Perches, thence North sixty degrees East nineteen Perches, thence North seventy seven degrees East six Perches, thence South seventy seven degrees East eight Perches, thence North eighty degrees East four Perches, thence South sixty degrees East six Perches, thence North eighty five degrees East thirty three Perches, thence South fifty seven degrees forty five minutes East one hundred and thirty four Perches, thence South twenty seven degrees East sixteen Perches, thence South seventy five degrees East eight Perches, thence South two degrees West five Perches, thence South fifty degrees East six Perches, thence South seven degrees East six Perches, thence South seventy eight degrees West twenty two Perches, thence South eighty five degrees West twelve Perches, thence North eighty four degrees West twenty two and a half Perches, to the end of said twenty sixth line of the whole tract and to the aforesaid place of Beginning containing one hundred and twenty one Perches of land. And it is further adjudged, ordered and decreed that the costs of the aforesaid Partition and other costs of this suit be defrayed by the Complainant and Defendant in equal proportions and that the same be and remain a charge on their respective allotments of said Real Estate until discharged by payment.

J. B. Ricard,

and thereupon the Court passed the following Order

Thomas Mallalieu & Wife	}	In the Circuit Court for Queen Annes County in Equity. Nov Term 1964
W ^m Benjamin P. Walters		

In taking the costs in this case the leave of this Court will allow to the Solicitor for Complainant in addition to his other fees the sum of ten dollars for preparing the final Decree of Partition between Complainant and Defendant

61 05
438
65 43

J. B. Ricard.

Thomas Chambers & Editha
his wife formerly Editha Coursey
vs
William Plumer.

49
As it is remembered that on the fourth day of November
in the year eighteen hundred and fifty nine Thomas
Chambers and Editha his wife by John M Robinson
Esquire their Solicitor filed in the Circuit Court
for Queen Anne's County sitting as a Court of

Equity their Bill of Complaint against William Plumer in the words following
to wit:— To the Honorable J B Leammichael Judge of the Circuit Court of Queen
Anne's County for Equity, This Bill of Complaint of Thomas Chambers and
Editha his wife formerly Editha Coursey of Queen Anne's County humbly shows.
That a certain John Coursey late of said County departed this life sometime in
the year eighteen hundred and fifty one, seized and possessed of certain real estate
lying & being in said County to wit:— a tract or tracts of land called "Hawkins
Pharsalia" situate near Rossville in said County and containing one hun-
dred and sixty three acres more or less, leaving William Coursey Robert
Coursey, James Coursey and John Wiley Coursey his children and heirs at law
and the said Editha Chambers his widow surviving— That a Petition now filed
in the Circuit Court of said County for the sale of said Real Estate, to pay me the
creditors of the said John Coursey and selector was appointed Trustee
That the said Real Estate was sold to one William Plumer subject to the Dower
of the said Editha Chambers, & the said Plumer entered in & has continued in
possession of said real estate from time of said sale up to the filing of this Bill
Your Orator & Orators charges that the said Plumer did consent and did pay un-
to them the sum of forty dollars for each and every year in consideration of her
dower right but that afterwards he refused to pay the same & has not paid
anything either to your Orator or Orators since the year eighteen hundred
and fifty six on account of the dower due thereon in the aforesaid real estate
although he has possessed & occupied the same, To the end therefore that the
said William Plumer may answer the premises matters & things hereinbe-
fore stated as fully & particularly as if they were again repeated & he was
thereunto specially interrogated and that a Commission may issue to three or
more persons to be named by this Court authorizing & empowering them to go
upon the said premises & lay off by metes & bounds courses & distances the
Dower which the said Editha Chambers may be entitled to the said real estate
in conformity with the Law in such cases made & provided, & that the
said William Plumer may be ordered & directed to pay unto your Orator
& Oratrix the several sums of money due them on account of the Dower
Right of the said Editha Chambers in the same for each and every year
for and during which the same may be due and that your Orator &
Oratrix may have such further & other relief as their case may require.
May it please your Honor to grant a Writ of Subpoena against the said
William Plumer of said County commanding him to appear in this Court
at some certain day to be therein named to answer the premises and
obide by and perform such decree as may be passed therein & as in duty he

John M Robinson Sol
for Compltts.

Whereupon Summons was issued for the said William Plumer in accordance
with the prayer of the complainants. And the said William Plumer being re-
turned Summons John B Brown Esquire appears and defends for him.

Thereupon further process of and upon the premises aforesaid is further con-
tinued until the fourth Monday of January next, at which said fourth
Monday of January in the year eighteen hundred and sixty comes into

leourt here the said Thomas Chambers and Editha his wife by their Solicitor aforesaid and the said William Plummer by his Solicitor aforesaid files this answer to the aforesaid Bill of Complaint, in the following words to wit: - To the Honorable P B Barnard Judge of the Circuit Court for Queen Annes County in Equity.

To the Bill of Complaint of Thomas Chambers & wife against William Plummer Your Respondent, in Equity exhibited, Your Respondent for answer says, that he denies that he bought a tract or tracts of land called "Hawkins Phasalia" containing one hundred and six ty three acres of land &c of Belinton Cook Trustee for the sale of the Real Estate of Coursey - but admits that he did purchase of said Trustee a part of a tract or parcel of land called "Hawkins Phasalia" situate in Queen Annes County. described in Deed of conveyance from said Trustee to this Respondent as containing 166 acres of land but in fact only containing 137 acres. that said land was purchased by your Respondent subject to the Dower interest of Editha Coursey since intermarried with Thomas Chambers. that in pursuance of said purchase he did enter into the possession of said land and did agree with the female complainant, then a widow, to pay her the annual rent of \$40.00 for her dower interest in said land - that said Agreement was not in writing and not limited in point of time and therefore liable to be terminated by proper notice by either party, in fact nothing more than a renting from year to year - that said Editha Coursey intermarried as well as Respondent recollects, with Thomas Chambers sometime in the year 1856 that up to this time your Respondent had freely and willingly paid the female complainant the sum agreed upon as the rental value of her interest in the land; tho' convinced from experience that it was too much - that after said marriage Your Respondent was notified by Thomas Chambers sometime in 1856 that \$75. and nothing less would satisfy him in future for the rental value of said Dower interest, and in case of refusal he would have Dower assigned - to which this Respondent returned answer that he would not pay \$75. as demanded and in future would not pay \$40.00 having been convinced from experience that it was too much, but that complainants could have dower assigned, that he paid \$40.00 for the year 1856. which he considered himself legally and honorably bound to pay having entered upon that year under the terms of the agreement, but then and never afterwards declared his determination not to pay as much as \$40.00, but demanded that Dower should be assigned and at the same time signified his willingness to settle what was a fair rental value by arbitration and to obligate himself to pay same. To this latter proposition complainants assented but never took any steps to carry same into effect - This Respondent is now willing as he has always been that Dower shall be assigned in the land actually bought by him of Belinton Cook Trustee which he avers to be only 137 acres - or his willingness to settle by arbitration what is a fair rental value for said Dower interest upon withdrawal of this suit and payment by complainants of all costs incurred by reason thereof. To so much of the Bill as sets up a claim for back rents and profits since the year 1856 to wit: for 1857 & 1858 this Respondent says that he is advised that complainants are stopped of their demand by virtue of judgments of one of the tribunals of this land as will appear by copies of causes of action marked exhibit A & copies of judgments thereon marked exhibit B certified to by the Clerk of said County and filed as part of this answer - that said causes of action were for the rental value of said Dower interest for the year 1857 & 1858 and that the Magistrate gave judgments thereon of non suit and costs against complainants

whereby your Respondent says that he is advised that the complainants are concluded from any other demands. That after said judgments of non suit the matter of arbitration was again proffered by this Respondent and disrepaired between them and complainants but failed in part, if not altogether, upon his refusal to allow the rents and profits of 1857 & 1858 to form part of the subject of arbitration, considering that question already settled by the judgments as aforesaid and that he was fully justified in his refusal in view of the ^{to} costs, vexation and troubles to which he had been subjected by the complainants, Having answered as in duty bound your Respondent prays to the chancery dismissed in due time with his proper costs incurred by this proceeding

William Plummer
 J. B. Brown Sol^r for Respondent

Exhibit "A" referred to in the foregoing answer is in the following words to wit:-

1858
 1858
 Jan^{1st} For 1/3 rent of farm where said Plummer resides for 1857 \$40.00
 Thomas Chambers & wife D^r

1859
 1859
 Jan^{1st} for 1/3 rent of farm where said Plummer resides for 1858 \$40.00
 Thomas Chambers & wife D^r

State of Maryland Queen Annes County to wit:- I hereby certify that the foregoing are true copies of the original accounts filed in my office among the papers returned by Act Duhamel Esq late a Justice of the Peace of the State of Maryland in and for Queen Annes County and enclosed in summons endorsed respectively Nos 49 & 50

In testimony whereof I hereunto subscribe my name and the Seal of the Circuit Court for Queen Annes County of this 27th day of January 1860
 place
 Madison Brown clk.

Thereupon further process of and upon the premises aforesaid is further continued until the first Monday of May next. At which said first Monday of May in the year eighteen hundred and sixty comes into court here the said Thomas Chambers & Editha his wife by their Solicitor aforesaid, and the said William Plummer by his Solicitor aforesaid also comes into court here and thereupon argument is made in the premises and thereupon the court passes the following Decree to wit:-

Thomas Chambers & Wife } In the Circuit Court of Queen Annes County
 vs } sitting in Equity. May Term 1860
 William Plummer

This cause standing ready for hearing and being submitted, the counsel for the parties were heard and the proceedings read and considered. It is thereupon this nineteenth day of May in the year eighteen hundred and sixty by E. B. Learmichael Judge of the Circuit Court of Queen Annes County sitting in Equity adjudged ordered and decreed that Editha Chambers his wife of Thomas Chambers Complainants is entitled to Dower in that tract tracts or parcels of land called Hawkins Phasalica containing one hundred and _____ acres in the proceedings mentioned which is now held by the Defendant and to the end that this court may be enabled to make a first assignment to the said Editha Chambers

of her dower in the aforesaid land & tenements. It is ordered that a Commission issue to John F. Thomas W. N. C. Rose & Walter D. Hardcastle & Eric Wilmes of Queen Anne's County authorizing them or any three of them to go upon and survey lay off and designate one third part of the said premises as & for the dower of the said Editha Chambers in the same. And that the said Commissioners be directed in the commission to make out a plat & certificate exhibiting an accurate description of the third part a dower so by them laid out. And the said Commissioners shall make return of their proceedings to this Court as soon as may be subject to its further order upon the same. And to the said Commission there shall be annexed the usual oath of office. And it is further adjudged ordered and decreed that the complainant is entitled to have and recover the full amount of the rents and profits of so much of the before mentioned lands and tenements as should have been assigned to her as her dower therein from the time when it shall appear that the Defendant has withheld and refused to pay her the same until the said dower shall be laid out assigned and delivered unto her; therefore to enable the Court correctly to ascertain and specify the whole amount of the rents and profits to which said Editha Chambers is so entitled; it is ordered that this case be and the same is hereby referred to the Auditor with directions to state an account thereof from the proceedings and proofs now in the case & such other proof as may be laid before him. And the parties are hereby authorized to take testimony in relation to the said account of the rents and profits before any Justice of the Peace on giving three days notice as usual. Provided that the said testimony be returned & filed in the Clerk's Office of Queen Anne's County Circuit Court thirty days after the said Commissioners appointed to lay out the said dower shall have made their Return.

Richd. B. Leammichael

Thereupon further process of and upon the premises aforesaid is further continued until the first Monday of November next at which said first Monday of November in the year eighteen hundred and sixty comes into Court here the said Thomas Chambers and Editha his wife by their Solicitor aforesaid. And upon the twentieth day of December the following depositions were filed to wit: State of Maryland Queen Anne's County to wit:— I hereby certify that on this 30th day of July 1860 personally appeared before the Subscriber Justice of the Peace of the State in and for the County aforesaid William C. Bewley and made oath in due form of law that he has known the farm on which William T. Plummer resides and which he purchased of Leighton Cook Trustee for the Sale of the Real Estate of John H. Coursey for thirty years and that in his opinion a fair rental value for said farm for the years 1857-1858 and 1859 would be in average of eighty dollars and cents per year that he rented it as Guardian for the minors for the two years previous to 1856 when he paid \$115⁰⁰ which he then considered a fair rental value, but then the crops were good and the prices good. That now the land run as good as then— that Mr. Plummer rented for the year 1856 for the sum of \$120⁰⁰ as he has acknowledged to him.— that it is now and has been always tilled in two fields, that he has seen Plummer's crops for the last two or three years and does not think he has averaged seventy five barrels of corn—that Mr. Plummer cultivated the land as well as farmers usually do. At the same time appeared Solomon Pippin & made oath in due form of law that did not this farm in 1857 & 1858 that he was on it nearly every week in 1859 and that in his judgment seventy dollars or seventy five dol-

bars would have been a fair rental value for said farm that it is cultivated in his fields and is extremely light and poor - that in his opinion it is not good for more than sixty or seventy barrels of corn per year - that for the year 1859 & for this year 1860 it is cultivated as well as land can be Sworn before

John A Rowleson

State of Maryland Chancery to wit: on this 31st July 1860 personally appeared James Pippin and made oath that he has known the farm on which William T Plummer resides for 20 odd years - that the average crop of corn on said farm has not been for the years 1857 1858 & 1859 much above sixty to sixty five barrels - that Abner Poe who lived on said farm when Plummer rented it for \$1200⁰⁰ only raised 41 barrels of corn - He believes Abner Poe lived there in 1855 as subtenant of Plummer - next year Plummer moved himself that he judges sixty five to seventy dollars would be a fair rental value for said farm for the years 1857 - 1858 & 1859 -

At the same time also appears W^m A L Poe & made oath in due form of law that he has known the farm on which Plummer resides for 30 years - that he believes from what he knows of the land that the farm would rent for \$100⁰⁰ that he knows nothing of the crops raised on said farm for the years 1857, 1858 & 1859 - that the farm has rented for \$1200⁰⁰ as he has understood but believes that was too much for the farm.

John A Rowleson

On the day last mentioned also personally appeared, William A Pratt, and made oath in due form of law that he has known the farm on which Plummer resides for 25 years - he believes that from what he knows of the farm its annual rental value is from \$80 to \$85 for the years 1857, 1858 & 1859 he thinks his estimate per year is a fair one. Sworn before

John A Rowleson

Thereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of January next at which said fourth Monday of January in the year eighteen hundred and sixty one comes into Court here the said Thomas Chambers and Editha his wife by their Solicitor aforesaid and the Auditor files the following report to wit:-

Thomas Chambers & wife vs William Plummer. In the Circuit Court for D. C. sitting as a Court of Equity

To the Honorable J. B. Barmichael Judge.

The Auditor respectfully reports that in obedience to the order of the Court passed on the 19th May 1860, he has examined the proceedings in this cause and especially the affidavits filed with reference to the annual rental value of the real estate in the proceedings mentioned. He formed the testimony as to value to be slightly different, as deposed to him by the five witnesses whose affidavits are filed and it was therefore necessary to make an average which he has done in the following manner viz

W. L. Bewley	testifies the annual rental value to be	\$80.00 =	80.00
Solomon Pippin	" " " " " " " "	\$70 to 75 average	72.50
James Pippin	" " " " " " " "	\$65 to 70 average	67.50
W ^m A L Poe	" " " " " " " "	\$100 =	100.00
W ^m A Pratt	" " " " " " " "	\$80 to 85 average	82.50
			\$402.50

This aggregate divided by 5 the number of witnesses examined gains the sum of eighty dollars and fifty cents as the average of their testimony, which is the annual rental value of said real estate. Mrs Chambers is entitled to one third of this amount for the use and profits of her dower, which is the sum of \$26.83 1/3 per annum, due for the years 1857, 1858, 1859 & 1860 =
Auditors fee \$4.50

J B Hopper Auditor
Jan 8th 1851.

And afterwards the Court passed the following Decree to wit:

Thomas Chambers & Wife } Circuit Court of Queen Anne's County in
vs } Equity May Term 1861
W S Plummer.

This cause standing ready for hearing upon return of the Auditors Reports, the further proceedings in regard to the laying off of Dower to of Editha Chambers, being staid by the consent of Complainant & Defendant. It is thereupon this 6th day of February in the year eighteen hundred and sixty one by R B Barmichael Judge of the Circuit Court of Queen Anne's County in Equity sitting and by the authority of this Court adjudged, ordered & decreed that the Auditors report filed in the cause be and the same is hereby ratified and confirmed and that the Defendant pay or bring into this Court to be paid to the Complainants the sum of one hundred and four dollars sixty nine cents for arrears of Dower of the said Editha Chambers, her proportion of taxes due on said real estate being deducted from years 1857, 1858, 1859 & 1860 The said sum to be paid or brought into Court by the first day of May next.

Richd B Barmichael,

Thereupon further process of and upon the premises aforesaid is further continued by regular continuances until the first Monday of November in the year eighteen hundred and sixty four at which said term further process is discontinued until by order of Complainants Solicitor.

Augustus McLeats

vs

William A Rawlings heir
at law of William J Raw-
lings and M. Brown Adm:
of William J Rawlings

Be it remembered that on the 13th day of April
In the year eighteen hundred and forty nine,
Augustus McLeats by Richard B Carmichael
Esquire his Solicitor filed in Queen Annes
County Circuit Court sitting as a Court of
Equity his Bill of Complaint against the said
William A Rawlings heir at law of Wil-

liam J Rawlings and M. Brown Adm: of William J Rawlings. in
the following words to wit: To the Hon^{ble} Judge of Queen Annes County Court
on the equity side thereof. The Bill of Complaint of Augustus McLeats of
Queen Annes County humbly shows that heretofore to wit: on the fifteenth
day of May eighteen hundred and forty four a certain William J
Rawlings of said County being indebted unto your Orator in the sum of
Three Hundred dollars current money with legal interest from the first
day of January eighteen hundred and forty four payable in two equal
instalments, the first half at the end of three months and the other at
the end of two years from the said fifteenth day of January eighteen
hundred and forty four with interest in each instalment from the first
day of January eighteen hundred and forty four as they respectively become
due and intending to secure the Payment thereof to your Orator did by his
Deed of that date in conjunction with Susan Rawlings the wife of the said Wil-
liam, convey unto your Orator on his Heirs certain Real Estate lying in said
County and a negro boy named William a slave for life, all of which is partic-
ularly described and set forth in said Deed marked Exhibit G to which said
Deed there is annexed a Condition, that it be paid on the Payment of the
said William J Rawlings his heirs, executors or administrators of the aforesaid
sum of money, with interest thereon according to the terms, times and conditions
above specified as by said deed filed herewith as part of this bill will more
fully appear. Your Orator further alleges that the said William J Rawlings
deceased this life sometime during the year eighteen hundred and forty
six intestate leaving his said wife surviving him and two children William
A and Francis & Rawlings his heirs at law both of whom were Infants
under the age of twenty one years, that said Susan the widow and Fran-
cis & the of the children have since departed this life intestate and that
no administration has been had on either of their said estates and that
William A the surviving heir of his said father William and his sister
Francis & is still an infant of tender years. Your Orator also shows
that letters of Administration were in due form committed by the
Orphans Court of Queen Annes County, on the personal estate of
Wm J Hollins deceased to Madison Brown of said County as by
exhibit A herewith filed will more fully appear, that negro boy William
mentioned in the aforesaid Deed has lately departed this life and that
the Administrator of said Intestate has applied the residue of deceased
personal estate to the Payment of other debts due by her deceased. (Your
Orator also charges that no part of the aforesaid sum of money or the
interest accruing thereon has been paid to him either by the said William
J Rawlings in his life time nor by Madison Brown Administrator of
the said William, altho' the time limited for Payment by the Condition
aforesaid has passed. But your Orator charges that the whole of said sum
of money and interest as aforesaid remains due and owing to your Orator
and he is advised that as the personal estate of the said Wm J Rawlings

deceased in the hands of his Administrator was insufficient for the pay-
 ment of all his just debts and has been applied by the Administrator to
 the payment of his other debts, he is entitled to have the mortgaged prem-
 ises above mentioned or so much thereof as may be necessary, sold for the
 payment of your Orator's claim with interest as aforesaid - to the end there-
 fore that the Defendants hereinafter named may answer the several mat-
 ters and things herein charged as fully and particularly as if they were there-
 unto interrogated, and that a Decree may be passed by your Honor for
 the sale of the mortgaged premises, or so much as may be necessary for the
 payment of your Orator's claim with interest as aforesaid, and that your
 Orator may have such other and further relief as this case may require -
 May it please your Honor to grant unto your Orator the Writs of Subpoena
 against William A Lawlings heir at law of Wm J Lawlings and Fran-
 ces A Lawlings deceased and also against Madison Brown Administrator
 of said William J Lawlings deceased commanding them to appear in
 this Court in person or by Solicitor in some certain day therein named to
 answer the premises and abide by and perform such decree as may be
 passed therein and as in duty bound your Orator will ever pray and
 so forth -

R. B. Leammichael
 Sol for Compl't:

The Exhibit "A" referred to in the foregoing Bill of Complaint is in the follow-
 ing words to wit: Office of Regr. Wills for Queen Annes County, Maryland
 Oct: I hereby certify to all persons whom it doth or may concern that
 Madison Brown Inquire Administrator of William J Lawlings - late of
 Queen Annes County dead, settled an Administration account on said de-
 ceased's Estate, which shows a balance in his hands, on the eighteenth day
 of January eighteen hundred and forty eight, of three hundred and sixty
 three dollars, and sixty two and three fourths cents, which said balance
 includes the appraised value of Slave Boy Bill, the only slave returned in
 the Inventory of the said deceased and which said Slave Boy is appraised
 therein at the sum of three hundred Dollars, All of which appears
 from the record in my office

Seal
 place

In testimony whereof I have hereunto set my name and af-
 fixed the Seal of my Office this 5th day of July 1849.

Cost cert & Seal 46 }
 Searches 37 1/2 } 83 1/2 ¢

Leaml. Roberts, Regr.
 Wills for Queen Annes County.

The Exhibit "C" referred to in the foregoing Bill of Complaint is in the
 following words to wit: This Indenture made this fifteenth day of Janua-
 ry, in the year eighteen hundred and forty four, between William J Law-
 lings and Pusan Lawlings his Wife, of Queen Annes County, in the State
 of Maryland, of the one Part and Augustus M^r. Leake of the same County
 and State aforesaid of the other Part; Whereas the said (William J Law-
 lings, by his Bond or Obligation duly executed, bearing date the fifteenth
 day of January, in the year eighteen hundred and forty four, stands
 bound unto the said Augustus M^r. Leake, his executors Administrators &
 assigns, in the sum of six hundred Dollars, current money, with a con-
 dition thereunto written for the payment of three hundred Dollars, cur-
 rent money, with legal interest for ^{the} same, from the first day of this present
 month, January, in manner following that is to say, the sum of one hun-
 dred and fifty Dollars, one half thereof, with legal interest on the whole sum

From the time above specified, on or before the fifteenth day of January, in the year eighteen hundred and forty five, and the sum of one hundred and fifty dollars, the residue or remaining half thereof, with interest thereon, or upon such sum as may be then due, on or before the fifteenth day of January in the year eighteen hundred and forty six, as by the said bond and condition will more fully appear. Now this Indenture Witnesseth that the said William J. Rawlings and Susan Rawlings his wife, in consideration of the said sum or sum of three hundred dollars owing to the said Augustus M^r: Leake, as aforesaid and for the better securing the payment thereof, with interest, to the said Augustus M^r: Leake his executors, Administrators or assigns, according to the condition of the said Bond, and also in consideration of the further sum of five dollars, current money of the United States to them the said William J. Rawlings and Susan Rawlings his wife. By the said Augustus M^r: Leake well and truly paid at or before the sealing and delivery of these presents, the receipt whereof the said William J. Rawlings and Susan Rawlings his wife, do hereby acknowledged, have granted bargained, sold, released, and confirmed, and by these presents do grant bargain, sell, release and confirmed unto the said Augustus M^r: Leake his heirs and assigns, all that lot or parcel of land situate, lying and being in the Town of Leesville, in Queen Anne's County, aforesaid, which was conveyed to the said William J. Rawlings, by William Stevens and wife, Thomas B. Bowler & wife and George Le Palmer, by a deed duly executed and acknowledged, and about to be recorded among the Land Records of Queen Anne's County, bearing date the sixth day of January in the year eighteen hundred and forty four, and which said lot or parcel of land is contained in the following lines, metes and boundaries, that is to say Beginning on the west side of the main street of said Town aforesaid, at the corner of a brick house the property of Stephen Hensant, and running thence North thirty five and a half degrees East two perches and two seven-tenths of a perch thence North fifty three degrees West two perches and four twenty-fifths of a perch, thence North fifty six and a half degrees West two perches thence North thirty degrees East one perch and twenty one twenty-fifths of a perch, thence North forty six and a half degrees West five perches and eight twenty-fifths of a perch, thence South twenty two degrees West four perches thence to the place of beginning containing thirty square perches, or three sixteenths of an acre, be the same more or less, together with all and singular the buildings improvements woods, ways, waters, water courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever, thereto belonging or in any wise appertaining, and the reversions and remainders, rents issues, ^{and} profits thereof and all the estate right title and interest whatsoever of them the said William J. Rawlings and Susan Rawlings his wife both at law and in equity, of, in, to and out of, the said lot or parcel of land and premises hereby bargained and sold, or meant, mentioned or intended hereby so to be, and every or any part and parcel thereof, and also all the right title and interest of him the said William J. Rawlings in and to one negro boy, William, aged about fifteen years or slave for life. To have and to hold ^{even} said lot or parcel of land and every part and parcel thereof, with the appurtenances thereunto belonging, and also the said negro boy William, unto the said Augustus M^r: Leake, his heirs and assigns to the only proper use and behoof of the said Augustus M^r: Leake his heirs and assigns forever, and to and for no other use intent or purpose

whichever. Provided always and it is the true intent and meaning of these presents, and of the said Parties hereunto, that if the said William J. Rawlings, his heirs, executors or Administrators, do, and shall well and truly pay or cause to be paid unto the said Augustus M^r. Leabe his executors, administrators or assigns, the said full sum of three hundred Dollars, current money, with legal interest for the same, at the times and in the manner herein presented, and according to the condition of the above in part recited bond or obligation, without any deduction or abatement whatsoever, then and from thenceforth these presents, and every matter and thing therein contained, shall cease and be utterly null and void, anything therein contained to the contrary thereof in any wise notwithstanding: and the said William J. Rawlings and Susan Rawlings his wife, for themselves their heirs, executors, and administrators, do covenant, promise, grant and agree to and with the said Augustus M^r. Leabe his executors, administrators and assigns, in manner and form following; that is to say: that they the said William J. Rawlings and Susan Rawlings his wife, their heirs, executors or administrators or some of them, shall and will well and truly pay or cause to be paid unto the said Augustus M^r. Leabe his executors administrators or assigns the said sum of three hundred Dollars, with legal interest as aforesaid, on the days and in the sums herein before limited for payment thereof, without any deduction or abatement whatsoever as aforesaid; and lastly it is covenanted and agreed upon by and between both parties to these presents, and it is hereby declared to be the true intent and meaning hereof, and of the Parties hereunto, that until default shall be made in payment of the said sum of Three hundred Dollars and legal interest for the same, as aforesaid, according to the times above limited for the payment thereof it shall and may be lawful to and for the said William J. Rawlings and Susan Rawlings his wife, their heirs and assigns, peaceably and quietly, to have, hold, occupy, possess and enjoy, all and singular the said premises above granted and released, and every part thereof, with the appurtenances, as also the said negro Boy (William, and to have receive and take the rents, issue, profits and hire thereof, to their own particular use and benefit, any thing therein contained to the contrary thereof in any wise notwithstanding. In witness whereof the said William J. Rawlings and Susan Rawlings his wife, have hereunto subscribed their names and affixed their seals the day and year first herein before written.

Signed, Sealed and delivered in the presence of } William J. Rawlings Seal
 Daniel Kernam } M^r. Keating } Susan Rawlings Seal

State of Maryland Queen Annes County &c: Be it remembered and it is hereby certified that on this fifteenth day of January in the year eighteen hundred and forty four, before us, the Subscribers two of the justices of the Peace of the State of Maryland in and for Queen Annes County, aforesaid, personally appeared William J. Rawlings and Susan Rawlings his wife (they being known to us, to be the identical persons named and described as, and professing to be Parties, grantors, to the within and aforesaid Bond or instrument of Writing) and severally acknowledge the within Deed or Instrument of writing to be their respective act and deed, and the said Lot or parcel of land and negro Boy, therein mentioned, and thereby granted and released, to be the right and estate of the within

named Augustus M^r. Leabe, his heirs and assigns forever for the uses and purposes and according to the purport, true intent, and meaning of the said Deed or Instrument of Writing and the acts of Assembly in such case made and provided; and the said Susan Rawlings wife of the said William J Rawlings, having signed and sealed the said deed or Instrument of Writing out of the presence and hearing of her said husband, ^{and being by us privately examined out of the hearing of her husband,} she doth execute and acknowledge the same freely and willingly, and without being induced to do so by fear or threats of or ill usage by her said husband or fear of his displeasure; Acknowledges that she doth execute and acknowledge the same willingly and freely, and without being induced to do so by fear or threats of or ill usage by her husband, or fear of his displeasure. In testimony whereof we have hereunto subscribed our names the day and year last aforesaid, acknowledged before and certified by

Daniel Newnam
Michl Keating.

Thus endorsed to wit: Received the 16th day of January 1844 and recorded in Liber I T No 4 folios, 258 & 259 and also one of the land Record Books of Queen Annes County of Jno: Tighman Clerk of Queen Annes County Court.

Thereupon summons were issued for the said Wm. J Rawlings and the said Madison Brown Administrator of all the goods and chattels rights and credits which were of the said William J Rawlings late of Queen Annes County deceased and the said William J Rawlings and Madison Brown being returned summoned the said William Rawlings and Madison Brown appear in Court here and the said William A Rawlings being a minor the Court appoints Clinton Cook Guardian to answer and defend for him and the said Clinton Cook as Guardian aforesaid comes into Court here and files his answer to the said Bill of Complaint as follows to wit:

The answer of William A Rawlings, an infant under the age of twenty one years by Clinton Cook his Guardian, to the bill of Complaint of Augustus M^r. Leabe against him and others on the Equity side of Queen Annes County Court exhibited. This Defendant cannot admit or deny any of the matters and things alleged in the said bill, and being an infant of under years submits his rights to the protection of the Court

Clinton Cook
Guardian.

Queen Annes County, Jct: on this fifth day of July, in the year eighteen hundred and forty nine, the above named Clinton Cook Guardian, appeared before me the Subscriber, a Justice of the Peace of the State of Maryland, in and for Queen Annes County Court, and made oath that the matters & things stated in the foregoing answer are true to the best of his knowledge and belief. Given before,

N. Bailey J. P.

And at the same time Madison Brown
Thereupon further process if and upon the Praemissis aforesaid is further continued until the fourth Monday of May next at which said first Monday of July in the year eighteen hundred and forty nine comes into Court there the said Augustus M^r. Leabe by his Solicitor aforesaid. And the said Madison

Brown and files his answer to the said Bill of Complaint in the following words to wit:— To the Honorable Judges of Queen Anne's County Court— The answer of Madison Brown to the Bill of Complaint of Augustus M. Cobe answering says— that letters of Administration on the personal estate of W. J. Lawling deceased have been submitted to them as alleged in said Bill: that he has disbursed large sums of money in payment of debts due by said deceased and there still remain unpaid a large of debts there than that claimed by the Complainant and ~~unpaid~~ the residue of estate in his hands will be wholly insufficient to discharge that there remained a balance in his hands as per administration account passed by the Orphans Court of Queen Anne's County on the eighteenth day of January— eighteen hundred and forty eight of three hundred and sixty three Dollars sixty and three fourths of a Cent as per exhibit of herewith filed will more fully appear which balance includes three hundred Dollars, the appraised value of negro William the only slave of the deceased, and deducting said appraised value the actual balance is deduced to sixty three Dollars Dollars and sixty two three fourths Cents that said Slave became an heir to the Estate soon after letters of Administration were committed to your Respondent and that he is now dead: your Respondent further admits that there is no entry in the books of the deceased, nor any receipt or other memorandum among the papers of the deceased as far as the same have come to his knowledge, or possession claiming a credit for any part of the alleged Mortgage Debt but whether the same was or was not paid by your Respondent Intestate or whether the said Mortgage Debt was or was not executed by your Respondent Intestate, your Respondent can neither admit or deny but puts the Complainant upon proof thereof— Your Respondent therefore prays your Honors will take this as his sufficient answer to the several matters and things alleged in said Bill as far as it is material for your Respondent to answer the same and that he may be herein dismissed with his reasonable costs in this cause incurred and as in duty bound he will ever pray and so forth

Madison Brown

Adm^r of W^m J. Lawling

decd.

Queen Anne's County to wit:— On this 4th day of July 1849 before the Subscribers a Justice of the Peace in and for said County personally appeared the above named Madison Brown and made oath that the matters stated in the foregoing answer are true to the best of his knowledge and belief

Worst let's go

James Rowland

The Exhibit referred to in the foregoing answer is in the following words to wit:— Office of Reg^r Wills for Queen Anne's County Maryland, do:— I hereby certify to all persons whom it doth or may concern that Madison Brown Esquire Administrator of William J. Lawling, late of Queen Anne's County, decd., settled an administration account on said deceased's estate, which shows a balance in his hands on the eighteenth day of January eighteen hundred and forty eight, of three hundred and sixty three Dollars, and, sixty two and three fourths cents which said balance includes the appraised value of slave boy

Bill, the only slave returned in the inventory of the said deceased & which said slave boy is appraised therein at the sum of three hundred Dollars - all of which appears from the records in my office.

Seal
Place

In testimony whereof I have hereunto set my name and affixed the Seal of my Office, this 5th day of July 1849
Post, cert Seal 46
Searches 37 1/2 83 1/2
Leah Roberts, Leg Mills
for Queen Annes County.

And therefore Commission was given to John Palmer Esquire to take testimony in the form following to wit:

Seals
Place
Queen Annes County to wit: the State of Maryland
to John Palmer of Queen Annes County, in the State of Maryland
Gentleman, knowing to it known, that you are appointed commis-
sioner to examine evidences in a cause depending in Queen Annes
County Court, between Augustus W. Leake and William J. Law-
lings. You are therefore requested, having first taken the oath here an-
nexed, and also administered the oath to the person whom you shall ap-
point as clerk to attend the execution of this Commission, that at
such time and place as to you shall seem convenient, you cause to
come before you all such evidences as shall be named and pro-
duced to you by either the Plaintiff or Defendant, and that you exam-
ine them on their solemn oaths, to be by you administered upon the
Holy Evangelists of Almighty God, touching their knowledge or remem-
brance of any thing that may relate to the cause aforesaid, and that
you ^{cause} notice to be given to the parties, or their attorneys, of the execution of
this commission, before you execute the same; and having reduced the de-
positions of the witnesses so taken by you into writing, you send the same,
with this Commission, closed under your hand and seal, to the County
Court of Queen Annes County aforesaid, with all convenient speed. Wit-
ness the Honorable Ezekiel Chambers Esquire, Chief Judge of our said
court, the 7th day of July Anno Domini 1849. Issued the 10th day of
July 1849

John T. Highman,

Commissioners Oath

You shall, according to the best of your skill and knowledge,
truly, faithfully, and without partiality to any or either of the
parties, take the examinations and depositions of all and
every witness and witnesses produced and examined, by virtue
of this Commission hereunto annexed upon the interrogatories
mons, or which may hereafter, before the said Commission is closed,
be produced to you by either of the said parties. So
help you God.

C. V. Bailey.

Clerks Oath

You shall truly, faithfully, and without partiality to any or ei-
ther of the parties in this cause, take, write down, and transcribe, the
depositions of all and every the witness and witnesses produced before
and examined by the Commission named in the Commission
hereunto annexed, so far forth as you are directed and employed
by the said Commission to take, write down, and transcribe the
said depositions. So help you God

John Palmer Commr.

And afterwards return was made in the following manner,
Augustus W^c. Wake Interrogatories to Daniel Newnam.

vs
William A Rawlings &
Madison Brown

1st Look at the paper marked exhibit B,
and say whether the said writing signed there to wit: Daniel Newnam
in two several places as witness and justice of the peace
is not good, and whether the same paper was not executed
and acknowledged by William A Rawlings party grantor in
your presence, 2nd are you acquainted with the hand writing
of Michael Heating and is not the name Michael Heating signed
also in two places to wit: - as witness and justice of the peace in
the hand writing of said Michael, is not said Michael now dead
and was he not also present at the execution and acknowledg-
ment of said paper?

R B Carmichael
Sol^r for Compl^r:

Augustus W^c. Wake Depositions of Daniel Newnam a witness
vs of lawful age produced by and Examined
William Rawlings on the part of the complainant the 10 July 1849
To the first Interrogatory he answers and says, Yes.

To the second Interrogatory he answers (says) that the name
Michael Heating, with whose hand writing he is well acquainted
that said Heating is dead and that the said Heating was present
when said paper was executed & acknowledged.

Test Lloyd Nonisley Daniel Newnam

And thereupon the Court passed the following Decree to wit.

Augustus W^c. Wake In Queen Annes County Court on
vs the Equity side thereof. May Term
1849.

Madison Brown Admr.
of W A Rawlings and
William A Rawlings Admr
at Law of William A & Frances
S Rawlings

This Cause standing ready for hearing
and being submitted without argument, the proceedings were read
and considered. It is thereupon this tenth day of July Eighteen Hun-
dred and forty nine by Queen Annes County Court and by
the authority thereof adjudged & ordered and decreed that unless
the Defendants or one of them shall on or before the fifteenth day
of August next pay or bring into this Court to be paid unto the
Complainant, the sum of Three Hundred Dollars with interest
from the first day of January eighteen hundred and forty four un-
til paid or brought in as aforesaid together with Complainants costs
of this Suit to be taken by the Clerk, the mortgaged premises in the proceed-
ings mentioned be sold that Richard B Carmichael of Queen
Annes County be and he is hereby appointed Trustee to make such
sale and that the cause and manner of his proceedings shall be
as follows: he shall first file in the Office of the Clerk of this County
a Bond to the State of Maryland executed by himself with a surety

or sureties to be approved by this Court in the penalty of Two Thousand Dollars conditioned for the faithful performance of the trust reposed in them by this Court or which may be reposed in him by any future order or Decree in the premises. He shall then make Sale of said mortgaged premises having first given at least three weeks previous notice in some newspaper printed on the Eastern Shore of Maryland and such other notices as he may think proper of the time, place, manner and terms of Sale, which terms shall be as follows one third cash and the residue in two equal instalments of six and twelve months from the day of Sale bearing interest from the day of Sale and the payment thereof to be secured by the Bond of the Purchaser or purchasers with a surety or sureties to be approved by the Trustee. And as soon as convenient after said Sale, 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 said Sale annexed and on the ratification of said Sale by this Court, and 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 and to his or their Heirs the property to them, they or them sold free clear and discharged of all claim of the Parties to this lease and of any person or persons claiming by, from or under them - And the said Trustee shall bring in to this Court the money arising on said Sale and the Bond or Bonds 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 as this Court shall think proper to allow in consideration of the Skill, attention and fidelity where with he shall appear to have discharged his trust.

J B Valker
J B Sedgston.

And afterward Richard B Carmichael the Trustee named in the above Decree files the following Bond to wit:
 \$2000.00 Know all men by these presents that we Richard B Carmichael and George C Palmer, are held and firmly bound unto the State of Maryland in the full and just sum of two thousand dollars current money, to be paid, to the said State or its certain attorney: to which payments we bind ourselves, and each of us, our and every of our heirs executors and administrators, jointly and severally, firmly by these presents: sealed with our seals and dated this twenty fourth day of July eighteen hundred and forty nine. (Whereas the said Richard B Carmichael has been appointed, by a decree of Queen Anne's County's Court sitting as a Court of Equity, Trustee to sell the mortgaged property of William A Pawling, deceased, which said Decree was passed in a cause wherein Augustus M. Leabe is Complainant and Madison Brown and William A Pawling defendants): Now the condition of the above obligation is such that if the above bounden Richard B Carmichael shall well and truly

perform the several duties, imposed on him, as trustee, by the said decree, and shall observe any other ^{or} future orders and decrees of the Court, which may be passed in the said cause for his direction, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

Richard B. Carmichael
Geo. C. Palmer

And thereupon further process of and upon the premises aforesaid is further continued by regular continuances until the fourth Monday of July eighteen hundred and fifty at which said time came into Court where the said Augustus M^o. Cabel by his Solicitor aforesaid, And the said Richard B. Carmichael Esquire files in Court here his report of Sales in the words following to wit.

Augustus M^o. Cabel
vs
Madison Brown admr.
and William Hayling's heirs
at law of W^m. J. Hayling decd.

In Queen Anne's County Court sitting as a Court of Equity

To the Honorable Judges of Queen Anne's County sitting as a Court of Equity: This Report of Richard B. Carmichael Trustee appointed by the Decree in this cause to make Sale of certain Real Estate therein mentioned shows: that after giving notice of the time, place, manner and terms of Sale by advertisement in the Sentinel a Newspaper printed at Centerville for more than three successive weeks before the day of Sale and by written notices posted at sundry places in Centerville, he did pursuant to said notices offer said Real Estate for sale at Centerville on the fourth day of September Eighteen hundred and forty nine and did sell the same to Augustus M^o. Cabel the complainant in this cause he being the highest bidder therefor at and for the sum of six hundred and seventy Dollars: that the mortgage Debt of said Augustus M^o. Cabel for the payment whereof said Real Estate was decreed to be sold with the interest thereon added to the day of sale was deducted from the aforesaid Account of Sales and that he took the Bond of said Augustus M^o. Cabel with security approved by him for the residue payable in two equal instalments of six and twelve months from the day of sale with interest thereon - that the mortgage Debt upon the day of sale amounted to Four hundred and two dollars and twenty cents - at the time of the sale of said Real Estate leaving the sum of two hundred and twenty seven dollars and eighty cents the payment whereof was secured by Bonds as aforesaid: that since the passing of said Bond to wit on the fourth day of June last the said Purchaser has paid to your Trustee the first instalment of said Bond with all the interest due thereon amounting to the sum of One hundred and nineteen dollars and three cents and which sum together with the bonds aforesaid, Your Trustee brings into this Court here to be disposed of under the direction of said Court, all which is respectfully submitted by

Rich^d. B. Carmichael
Trustee

Queen Anne's County fe

On this 24th day of July 1850 before the subscriber a Justice of the Peace in and for said County personally appeared the within named Richard B. Carmichael Trustee and made oath that the matters and things stated in the foregoing

report are true to the best of his knowledge and belief and that the sale therein reported was finally made.

Sworn before

W. Bailey.

Whereupon the following Order was passed to wit:

Queen Anne's County Court

On the Equity side thereof } 29th July 1850

Ordered that the sale made and reported by Richard B. Carmichael Trustee for the sale of the Real Estate of William I Rawling deceased be ratified and confirmed unless cause to the contrary thereof be shown on or before the 5th day of November next. provided a copy of this order be inserted in some Newspaper printed in Queen Anne's County once in each of three successive weeks before the 31st day of October next - The Report states the amount of sales to be \$630.00

By order

John Tilghman C of
Queen Anne's County Court.

Whereupon further process of and upon the premises aforesaid is further continued until the first Monday of November next. At which said first of November in the year Eighteen Hundred and fifty, comes into Court here the said Augustus M^o. Cobe by his Solicitor aforesaid. And the Court passes the following Order to wit:

Augustus M^o. Cobe

vs

Ab. Brown admr of W^m I
Rawling on W^m A. Rawling

In Queen Anne's County Court sitting
as a Court of Equity

Ordered that the sale made and reported in the above cause, be and the same is hereby ratified and confirmed, nor cause to the contrary thereof having been shown altho motion appears to have been given as heretofore ordered - The Trustee is allowed for Commissions the sum of forty dollars and fifty cents and for expenses not personal two Dollars and fifty cents.

J. B. Hopper.

On the eleventh day of December in the year eighteen hundred and fifty the Auditor files the following Report and Account

Augustus M^o. Cobe

vs

William A. Rawlings, heir
at law of Madison Brown,
adm^r of the estate of William
I. Rawlings, dec^d.

In Rehearing

Dec 10th 1850

The Auditor reports to the Honorable Court, that he has examined the proceedings in the above cause and has stated and herewith exhibits the account between the estate of the late William I. Rawling, deceased, and Richard B. Carmichael Esquire Trustee, wherein the proceeds of the sale are applied first, to the payment of the allowances to the Trustee for his Commissions & expenses, the costs of suit and other expenses and then to the payment of the Complainant's debt which leaves a balance remaining in the hands of the Trustee amounting to the sum of one hundred & forty eight dollars seventy five cents, and two thirds. - all of which is respectfully submitted.

W. E. Clayton Aud^r Q. A. C. Court

D^r. Estate of William I. Rawlings, deceased, in Account with Richard B^t. Carmichael, Trustee &c

1849			
Sept 4 th	To the Trustee for his Commissions	40.50	
	To same for his expenses	10.50	51.00
	To Cost Suit as p bill		54.70
	To expenses of Commission to take testimony Viz		
	do John Palmer Com	4.06	
	Lloyd T Hemmley clk	4.00	
	Daniel Neumann witness six ^{ty}	66 ² / ₃	8.72 ² / ₃
	To the Auditor for his fee		4.66 ² / ₃
	do Augustus M ^o Caba, the Complainant		402.15
	Balance remaining in the hands of the Trustee		148.75 ² / ₃
			<u>670.00</u>

Dec 10th 1850

E.E.

p W. E. Clayton

Auditor

1849

Sept 4th

By proceeds of Sale there made as p report \$ 670.00

State tax on Trustee's Commissions \$ 4.05
p W. E. Clayton

Aud.

Thereupon further process of and upon the premises aforesaid by regular continuances until the first Monday of November in the year Eighteen Hundred and fifty one, at which said day the Court passed the following Order to wit:-

Augustus M^o Caba }
vs }
William Rawlings }

Queen Anns County Court
Nov Term 1851-

Ordered that the Auditor's Report in the Cause be finally ratified and confirmed no exceptions having been taken thereto,

E. F. Chambers.

Thereupon the following Order is passed to wit:-

Augustus M^o Caba }
vs }
Wm Rawlings heirs }

In Chancery May 7 1850
Queen Anns County Court

Ordered that R. B. Carmichael Esq Trustee in the above case pay to the Clerk of this Court, sum of one hundred and nineteen dollars & three cents the amount reported to have been received by him for the first instalment of the Purchase money

R. B. Hopper.

Thereupon further process of and upon the premises aforesaid is further continued by regular continuances until the first Monday of November in the year Eighteen Hundred and sixty four, on which said day comes into Court here the parties aforesaid by their aforesaid attorneys and Lloyd Tilghman Esquire as Solicitor for William A. Rawlings files the following petition to wit:-

Augustus Mc Cabe

vs

William A. Rawlings and
Madison Brown admrs of
William J. RawlingsIn the Circuit Court for Queen Anne's County
sitting in Equity

The petition of William A. Rawlings respectfully represents that the proceedings in this cause show that certain Real Estate the property of William J. Rawlings your petitioner's father - was sold by a decree of this Court, in this cause, for the payment of the debts of the said William J. Rawlings: that after the payment of the said debts there remained in the hands of the trustee to sell said real estate the sum of \$148.75^{2/3} that of this sum there has been paid into this Court the sum of \$119.03: that the said William J. Rawlings at the time of his death, left Susan Rawlings his widow, and your petitioner and Francis E. Rawlings his infant children and only heirs at law: that the said Susan and Francis E. both died intestate and before the filing of the bill in this cause, and that your petitioner is their only heir at law of the said Francis. Your petitioner further represents that he has arrived at the age of twenty one years and is entitled to the aforesaid money paid into this Court. He therefore prays that an order may be passed directing the Clerk of this Court to pay to your petitioner or to his solicitor the aforesaid sum of \$119.03 - and as in duty bound he will ever pray &c -

Lloyd Tilghman

Solicitor for Wm. A. Rawlings.

On this 16th day of December 1864 before the subscriber a justice of the peace of the state of Maryland in and for Queen Anne's County personally appeared Augustus Mc Cabe who made oath in due form of law that he has known Wm. A. Rawlings the foregoing petitioner from his infancy - that he was the legal guardian of the said William A. Rawlings for a number of years and that the said Rawlings is now twenty one years of age

Jns. H. Rowleson.

Whereupon the Court passed the following Order to wit:

Augustus Mc Cabe

vs

William A. Rawlings & others

In the Circuit Court for Queen
Anne's County. In Equity

On consideration of the petition of William A. Rawlings in this cause - ordered this 23^d December 1864, that Samuel E. Lyott clerk of this Court pay to the said William A. Rawlings or to his solicitor the sum of One Hundred and nineteen dollars and three cents, heretofore paid into this Court, in this cause by Rich^d B^e Carmichael trustee.

Jns. M. Robinson

Whereupon the following Receipt is filed to wit:

Received Dec 23^d 1864 of Samuel E. Lyott clerk one hundred and nineteen dollars and three cents in full of the amount due on the within order, the said sum of money having been paid by R. B. Carmichael trustee to John Tilghman late Clerk and by him to Jns. Palmer late Clerk & by the executors of said Palmer to said S. E. Lyott clerk.

Lloyd Tilghman Solicitor for
Wm. A. Rawlings.

John G. Watson
vs
Ann C. Watson
and Alice Watson

Be it remembered that heretofore to wit: On the 19th day of February in the year Eighteen hundred and sixty four the said John G. Watson by John B. Brown Esquire his Attorney files in Queen Annes County Court his Bill of Complaint which is in the words and

of the tenor following to wit:

To the Honorable Judge of the Circuit Court for Queen Annes County in Equity, The Bill of Complaint of John G. Watson of Queen Annes County State of Maryland, to Your Honor, respectfully sets forth that your Petitioner and a certain Ann C. Watson and a certain Alice Watson are seized in fee simple, as tenants in common, each of an undivided third part thereof of certain Real Estate situate in the second Election District of Queen Annes County aforesaid and described in a Cause in this Court wherein John Watson and others are complainants and George W. Godwin and wife are defendants as Lot No 1. and beginning for same (it being part of a tract of land called Bourbon) at the beginning of said whole tract called Bourbon and running with the lines thereof to the end thereof perches on the fourth line of said tract, then North fifty degrees fifteen minutes East Two Hundred and sixteen and six tenths perches to the end of ^{the} three perches on the thirteenth line of said tract, and with said tract to the end thereof and with the fourteenth and fifteenth lines of said tract to the beginning thereof, containing One Hundred and twenty one acres and two perches of land more or less; said Lot No 1 lying North of the divisional line of said whole tract called Bourbon as made by the surveyor in the Cause referred to, it being the "North fifty degrees fifteen minutes East Two Hundred and sixteen and six tenths perches" line above described. And Your Orator charges that said Real Estate is not susceptible of partition among the aforesaid parties without great loss and injury to them and that it is their interest and advantage, that said Real Estate be sold and the proceeds of sale distributed among them according to their respective interests, and Your Orator avers that said Ann C. Watson and Alice Watson reside in Queen Annes County aforesaid; and he further charges that they are infants under the age of twenty one years; and that therefore said sale cannot be effected without the aid and interposition of the equitable powers of this Court. To the end therefore that said Ann C. Watson and Alice Watson may answer the averments and allegations of this Bill of Complaint as fully as if they were therunto specially interrogated and that said Real Estate may be decreed to be sold and the proceedings of sale distributed among your Petitioner, the said Ann C. Watson and Alice Watson according to their respective interests, and that your Orator may have such other and further relief as his case may require; May it please Your Honor to grant unto Your Orator the State of Maryland Writ of Subpoena against the said Ann C. Watson and Alice Watson of Queen Annes County aforesaid, commanding them to be and appear in this Court on some certain day to be therein named and answer the premises and abide by and perform such decree as may be passed therein and as in duty he

John B. Brown
Solicitor for Complainant.

Whereupon summons were issued for the said Ann C. Watson and Alice Watson and the said Ann C. Watson & Alice Watson having been returned summoned appear in Court here, and being minus the Court appoints Henry A. Clough Guardian to answer and defend for them, and the said Henry A. Clough files

have the answers of the said Infants in the following words to wit:

John B. Watson vs Ann B. Watson and Alice Watson	In Circuit Court for Queen Annes County in Equity. May Term 1864
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To the Honorable James B. Ricard, Judge of the Circuit Court for Queen Annes County in Equity, the joint and several answers of Ann B. Watson and Alice Watson, Infants under twenty one years of age, by Henry A. Clough their Guardian, to the Bill of Complaint of John B. Watson against them in the Circuit Court for Queen Annes County, in Equity exhibited, These Defendants cannot admit any of the matters and things alleged in said Bill, and being Infants of tender years submit their rights to the protection of this Court -

Henry A. Clough,

On this 10th day of May 1864 the above named Henry A. Clough appeared before me, a Justice of the Peace of the State of Maryland in and for Queen Annes County and made oath in due form of law that the matters and things stated in the foregoing answer are true to the best of his knowledge and belief.

Jno. H. Rowleson J. P.

Whereupon the following Agreement was filed to wit:

John B. Watson vs Ann B. Watson & Alice Watson	In Circuit Court for Queen Annes County in Equity. May Term 1864.
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We the Undersigned Solicitors for Complainant and Defendants respectively, hereby agree that a Commission shall forthwith issue to James Wooters Esq of Queen Annes County, to take testimony in this cause,

John B. Brown Solicitor for Complt
Thos. J. Keating Sol^r for Defendants.

Whereupon Commission was issued in the form following to wit:

" " " Queen Annes County, to wit: The State of Maryland to James
Seals place Wooters of Queen Annes County, Greeting: Be it known that you
" " " are appointed Commissioners to examine evidences in a cause
" " " depending in the Circuit Court for Queen Annes County, between
" " " John B. Watson Complainant and Ann B. Watson and Alice
Watson Respondents: You are therefore hereby required, having first taken the
oath hereunto annexed, and also administered the next oath to the person whom
you shall appoint as clerk to attend the execution of this Commission, that
at such time and place as to you shall seem convenient, you cause
to come before you all such evidences as shall be craved and produced
to you by either the Complainant or Respondents, and that you examine
them on their corporal oaths to be by you administered upon the Holy Evangelists
of Almighty God, touching the knowledge or remembrance of any thing
that may relate to the cause aforesaid; and that you cause notice to be
given by the parties or their Solicitors of the execution of this Commission
before you execute the same; and having reduced the depositions of the witness-
es so taken by you into writing, you send the same with this Commission,
closed under your hand and seal to the said Circuit Court with all con-
venient speed: Witness the Honorable James B. Ricard, Judge of the said
Court, the second day of May eighteen hundred and sixty four,
Given the 10th day of May 1864.

Samuel E. Dyott Clerk

Henry K. Cooper a witness of lawful age produced and examined on the part of the complainants, being duly sworn deposes and says,

To the first Interrogatory: He does and has known them over six years.

To the second Interrogatory: He does know the said Real Estate, said to contain about one hundred and twenty acres, worth twenty dollars per acre, and heretofore renting for one hundred and twenty five dollars per annum, but renting this year for one hundred and fifty dollars, and the taxes and repairs paid out of the rents,

To the 3rd Interrogatory: It would not bear division for the reason that the quantity of land is too small in its present condition, the land is in a long and narrow strip and the wood land front and back of the buildings.

To the fourth Interrogatory, It would be to the interest of the parties that said land should be sold and the proceeds divided, as a great portion of the land is poor, the buildings want repairs and the interest of the purchase money would be more than the rent of the farm, deducting taxes and repairs.

Henry A. Cooper

Robert G. Price a witness of lawful age produced and examined on the part of the Complainant, being duly sworn, deposes and says,

To the first Interrogatory, He is acquainted with the parties to this Suit. John G. Watson is over twenty one years of age. Ann G. Watson and Alice under twenty one years of age by several years, there was another Brother, Joseph, who died several years ago, John Watson the father, has been dead several years. In the proceedings of the division of this land referred to in this cause Ann Catherine Watson is wrongly called Ann Elizabeth, - has known all the parties many years.

To the second Interrogatory: Is acquainted with the land and has been for many years - contains about 120 acres, worth about \$20 per acre - Rental value from \$120 to \$125 per annum, subject to taxes,

To the third Interrogatory, The land will not admit of division among the parties or even into two parts. There is not more than a sufficiency for one farm. The land is in a long narrow strip, the buildings in the centre with a large proportion of wood land at either end of the farm,

To the fourth Interrogatory. Thinks it would be to the interest and advantage of all parties that the land should be sold for three reasons. The land is poor in part and requires the yearly application of fertilizers to keep it up and make it produce. The dwelling house is old and in need of considerable repairs. To supply fertilizers and keep up repairs the parties have no funds independent of rent. The money for the farm ought be invested to yield a much larger and safer income than the farm.

Robert G. Price,

The Complainants Solicitor filed with the Commissioner paper marked Exhibit A^h herewith returned. There being no other witnesses to be examined and neither party desiring further time for the production of evidence, the Commissioner closed the said Commission and herewith returns the same under his hand and seal, the 4th day of July 1864.

Costs.

Commissioner	4.05	}	\$ 6.35,
Witnesses	1.50		
Sheriff	.80		

James. Winters
Commissioner

(Seal)

Whereupon the Court Pass the following Decree to wit:

John G. Watson
vs
Ann. G. Watson &
Alice Watson

In Circuit Court for Queen Anne's County
in Equity

This cause standing ready for hearing and being submitted without argument, the proceedings were read and considered, It is thereupon this seventh day of July in the year eighteen hundred and sixty four by the Circuit Court for Queen Anne's County and by the authority thereof adjudged, ordered and decreed that the Real Estate in the proceedings mentioned be sold, that John B. Brown of Queen Anne's County, State of Maryland, be and he hereby is appointed Trustee to make such sale; and that the course and manner of said proceedings shall be as follows: He shall first, file with the Clerk of this Court a bond to the State of Maryland executed by himself with a surety or sureties to be approved in conformity with law in the penalty of five thousand dollars, conditioned for the faithful performance of the trust reposed in him by this Decree or that may be reposed in him by any future Order or decree in the premises - He shall then proceed to make sale of said Real Estate, having first given at least three weeks previous notice, inserted in some newspaper printed in Centerville, Queen Anne's County and such other notice as he may deem proper of the time, place, manner and terms of sale; which terms shall be as follows; two Hundred dollars to be paid in cash on the day of sale and the balance in three equal instalments of one, two and three years therefrom; - the credit part of purchase money to bear interest from the first day of January eighteen hundred and sixty five and the payment thereof to be secured by the bonds of the Purchaser, with a surety or sureties to be approved by the Trustee, and as soon as may be convenient after any such sale 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 by this 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 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 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 that may be taken for same, to be disposed of under the direction of this Court, after deducting therefrom the costs of this suit, and such commission to said Trustee as this Court shall think proper to allow in consideration of the skill, fidelity and attention wherewith he shall appear to have discharged his trust.

J. B. Ricauts.

Whereupon the said John B. Brown The Trustee named in the said decree files in Court here the following Bond with the endorsements thereon to wit:-
Know all men by these presents that we, John B. Brown, Sallie E. Bryant and Madison Brown of Queen Anne's County, State of Maryland, are held and firmly bound unto the State of Maryland in the full and just sum of five thousand dollars current money, to be paid to the said state of Maryland or its certain Attorney; to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents - Sealed with our seals and dated this ninth day of July, in the year eighteen hundred and sixty four -
Whereas by a Decree of the Circuit Court for Queen Anne's County in Equity, bearing date the seventh day of July instant and passed in a cause wherein John G. Watson

J. B. B. S. E. B.
7th July
9th 1864
United States
Inter Revenue
50 cents

is Complainant and Ann C. Watson and Alice Watson are Defendants, the above found John B. Brown has been appointed Trustee to make sale of the Real Estate in the proceedings mentioned and described, Now the condition of the above obligation is such that if the above bound John B. Brown do and shall well and faithfully perform the trust reposed in him by said decree or that may be reposed in him by any future order or Decree in the premises, then the above obligation to be void, otherwise to remain in full force and virtue in law.

Signed Sealed and delivered
in the presence of
Edwin H. Brown

John B. Brown
Sallie E. Bryan
Madison Brown

Sealed
Sealed
Sealed

Security approved and bond filed July 9. 1864.

S. E. Lyett Clerk

And on the thirty first day of August in the year Eighteen Hundred and sixty four the said John B. Brown the trustee, made the following report of sale to wit:

John C. Watson

vs

Ann C. & Alice Watson

In Circuit Court for Queen Anne's County
in Equity.

For the Honorable James B. Ricard, Judge of the Circuit Court for Queen Anne's County in Equity. The report of John B. Brown Trustee appointed by the Decree in this cause to make sale of the real Estate therein described by name and more particularly by metes and bounds, courses and distances, shows; That after giving Bond with security as required by said Decree for the faithful discharge of his trust, and giving notice of the time, place, manner and terms of sale by advertisements in the "Maryland Sentinel" and the "Centreville Observer" two newspapers printed in the town of Centreville, Queen Anne's County for more than three successive weeks before the day of sale and by handbills extensively circulated throughout Queen Anne's County and adjoining counties, in Maryland, the City of Baltimore, States of Pennsylvania, New Jersey and Delaware, he did pursuant to said notice attend at said town of Centreville County aforesaid, on Tuesday, the twenty third day of August of this present year eighteen Hundred and sixty four between the hours of One O'clock and three O'clock P. M. and there proceeded to sell said Real Estate as follows. Your Trustee offered at public auction to the highest bidder Real Estate, and which may be further described as being in the tenancy of Mrs. Louisa Bryan for the present year, and situate on the public road from Rossville to Church Hill in the Second Election District of Queen Anne's County, adjoining the lands of Samuel Cecil, Bennett Willson and Thomas Comegys. Containing One Hundred and twenty one acres and two perches of land, reserving therefrom for the use of the parties to the cause and their family the burial ground on said Farm, as it is at present enclosed, with the privilege of ingress and egress therefrom, said inclosure containing about a quarter of an acre of land and sold same to Henry R. Cooper of Queen Anne's County aforesaid at and for the sum of twenty eight dollars and eighty two cents per acre, making in the aggregate the sum of Thirty four Hundred and eighty dollars and thirty seven cents, for said Real Estate - Your Trustee having been satisfactorily secured in the cash payment of two Hundred Dollars then took from said Henry R. Cooper his bond with John H. Evans his security thereto to secure the credit portion of said purchase money, to wit: the sum of Thirty Two Hundred and Eighty Dollars and thirty seven cents, payable in three equal annual instalments from the twenty third day of August of this present year, with interest on each instalment as it falls due from the first day of January eighteen Hundred

and sixty five. The rents for this present year were reserved to the parties in interest. Possession to be given on first day of January. all which is respectfully submitted.

John B. Brown
Trustee

State of Maryland Queen Anne's County to wit: On this thirty first day of August eighteen Hundred and sixty four before me, the subscriber, a justice of the Peace of State in and for County aforesaid, personally appeared John B. Brown Trustee named in aforesaid Report of sale and made oath in due form of law that the matters and things stated in said Report are true to the best of his knowledge and belief, and that the sales therein reported were fairly made

10 cts pa

John H. Rowleson

John G. Watson

In Circuit Court for Queen Anne's County, in Equity.

August 31st 1864

vs
Ann C. & Alice Watson

Ordered that the sale made and reported by John B. Brown Trustee in this cause be satisfied and confirmed unless cause to the contrary thereof be shown on or before the first Monday in November next. Provided a copy of this order be inserted in some Paper printed at Centerville once in each of three successive weeks before the 3rd day of October next. Report states amount of sales to be \$3480.37.

Samuel E. Lyett Clerk.

Whereupon further process of and upon the premises aforesaid is further continued until the first Monday of November next. At which said time in the year Eighteen Hundred and sixty four, comes into Court here the said John G. Watson by his Solicitor aforesaid. And the Court passes the following Order to wit:-

In Circuit Court for Queen Anne's County in Equity. Writ Term 1864. Nov 12th 1864
Orders that the sale therein reported be and the same is hereby finally satisfied and confirmed, no cause to the contrary thereof having been shown; although notice appears to have been given as directed by the proceedings order. The Auditor will allow the Trustee the usual commissions, on amount of sales and the ordinary bills of expenses.

Filed Nov: 12th 1864.

J. B. Rosand.

On the tenth day of April in the year eighteen Hundred and sixty five, The Auditor files the following Report and Account.

John G. Watson

In the Circuit Court for Queen Anne County
sitting as a Court of Equity.

vs
Ann Watson

Alice Watson

To the above J. M. Robinson Judge The Auditor respectfully reports that he has examined the proceedings in this cause and has therefrom stated the following account between the Real Estate mentioned in the proceedings and J. B. Brown Esq. Trustee for the sale thereof. In this account he has allowed to the Trustee his commissions and expenses, to the complainants and Defendants each their costs of suit as per bill furnished by the Clerk and to the Auditor his fee for stating this account. The balance he divided equally between the three tenants in common giving to each \$1067.92

D. B. Hopper Auditor

April 8th 1865

L. The Real Estate of John G. Watson and others in acct with J. B. Brown Trustees for the Sale thereof

1864 Aug 23	To the Trustee for his expenses			33	75
	To the Trustee for his Commissions			184	21
	To the Complainants for their costs of Suit viz Solicitor	20	00		
	Saml. E. Pyatt Clerk	6	10		
	Same for further probable costs	10	00		
	W. F. Ford Shff		90		
	James Masters Commr. to take testimony	4	05		
	Wm. C. Cooper Witness		75		
	Robert G. Price "		75		
	Shff W. F. Ford for summoning witnesses		80	43	35
	To the Defendants for their costs of suit viz Solicitor	10	00		
	Saml. E. Pyatt Clerk		80	10	80
	To the Auditor for this Acct &c			4	50
				276	61
	To John G. Watson			1067	92
	To Ann Watson			1067	92
	To Alice Watson			1067	92
				<u>3480</u>	<u>37</u>

1864 Aug 23	By amount of proceeds of sale as per Trustees report of sales filed			3480	37
				<u>3480</u>	<u>37</u>

P. B. Hopper Auditor

Whereupon further process of and upon the premises aforesaid is further continued until the first Monday of May next, at which said first Monday of May in the year Eighteen Hundred and sixty five comes into Court here the said John G. Watson by his Solicitor aforesaid and thereupon the Court pass the following Order to wit:

In the Circuit Court for Queen Annes County in Equity, May Term 1865
Ordered that the within and foregoing Report of the Auditor be and the same is hereby ratified and confirmed, and the Trustee is directed to apply proceeds accordingly as the same shall be collected.

6th June 1865

Jno. M. Robinson,

George B. M^r. Cabbie & Anna D
M^r. Cabbie, his wife, formerly Anna
F Wilson & William E. Willson, Ida
Willson, Robert C. Willson & Blanche
Willson, Infants, under twenty one years
of age, by Thomas S. Willson, their
next friend.

^{vs}
Richard B. Carmichael, Elizabeth V. Willson,
Mary L. Willson, James Henry Willson,
Ella Willson, William E. Willson, Ida
Willson, Robert C. Willson & Blanche Willson

Be it remembered that on the twelfth day
of June in the year eighteen Hundred
and sixty five George B. M^r. Cabbie and
Anna D. M^r. Cabbie his wife and others,
by John B. Brown Esquire their solicitor filed in
Queen Anne's County Circuit Court sitting as a
Court of Equity their Bill of Complaint against
the said Richard B. Carmichael and others
in the following words to wit:-

To the Honorable John M. Robinson, Judge
of the Circuit Court for Queen Anne's

County in Equity, The Bill of Complaint of George B. M^r. Cabbie and Anna D
M^r. Cabbie his wife, formerly Anna F Willson, and William E. Willson, Ida Willson, Rob-
ert C. Willson and Blanche Willson, Infants under twenty one years of age, by Thomas
S. Willson, their next friend, against Richard B. Carmichael Elizabeth, V. Willson, Mary,
L. Willson James Henry, Willson, Ella Willson, William E. Willson Ida Willson, Robert C,
Willson and Blanche Willson, the four last named being infants as aforesaid under
twenty one years of age, in this court preferred, to Your Honor humbly sheweth that
heretofore a certain James F. Brown and a certain Eliza Willson, formerly Eliza Brown
and then intermarried with one James A. Willson were and possessed by descent in
undivided moieties, in fee of certain Real Estate situate in Queen Anne's County,
State of Maryland, adjoining the lands of Martha T. Brown, Richard B. Carmi-
chael, H. G. Rhodes and Sally & Mary Harris, called "Woodfields" "Bennetts Choice"
"Depots or Liberty" or by whatsoever other name or names the same may be called
or known and containing four Hundred and seventy acres, one rood and thirty
five perches of land more or less, said Real Estate particularly and at large des-
cribed in two deeds of conveyance thereof, one from C. C. Brown to Robert Brown
bearing date the nineteenth day of October eighteen Hundred and three and re-
corded in Liber S. D. W. No. 7 folio 29 One of the Land Record Books for Queen
Anne's County, the other from Seth Clements, to Robert Brown bearing date the fourth
day of June eighteen Hundred and eight and recorded in Liber S. D. W. No 10 folios
173 one of the Land Record Books for Queen Anne's County, said moiety of the
said Eliza Willson being subject to the marital rights of her husband, the said
James H. Willson, in and to the same, that the said James F. Brown and the
said James H. Willson in the lifetime of the said Eliza Willson and during her
coverture with the said James H. Willson on or about the year eighteen Hundred
and ^{made} ~~made~~ unequal division of said Real Estate in quantity
and value between the said James F. Brown and the said James H. Willson
and Eliza Willson his wife, by which the larger portion of said Real Estate was
allotted to and possession accordingly to the said James F. Brown, the consid-
eration for which was the remaining portion thereof which was allotted to the said
Eliza Willson and possession thereof delivered to him, the said James H. Willson,
in behalf of himself and the said Eliza Willson and the sum of Three Thousand
dollars to be paid by the said James F. Brown to equalize said division that since
said division so made as aforesaid the respective parties thereto or those claiming
by, from or under them have continued so to hold and use said Real Estate and
the said James F. Brown has paid to the said James Willson two thousand dollars
of the sum of Three Thousand dollars as aforesaid to be paid by him to equalize,
said division - Your Orator further set forth that the said James H. Willson and

and Eliza Willson are both now dead, the former having departed this life in the present year eighteen Hundred and sixty five and the latter in the year eighteen hundred and _____ in the life time of the said James H. Willson, bearing as their children and as the heirs at law of the said Eliza Willson in and to the estate and interest in the aforesaid Real Estate the said Anna. D. M^c. Lubbin, formerly Anna F. Willson, Elizabeth V. Willson Mary S. Willson, James Henry Willson, Ella Willson, William E. Willson, Ida Willson, Robert C. Willson and Blanche Willson, the four last named of whom are infants under twenty one years of age. Your Orators further charge that the division as aforesaid made by the said James F. Brown and the said James H. Willson was never consummated by the interchange and delivery of deeds by the said James F. Brown of the one part and the said James H. Willson and Eliza Willson, his wife, of the other part, and that said Eliza Willson, when thereunto afterwards requested, wholly refused to gratify and confirm said division as aforesaid as aforesaid made by the interchange and delivery of the necessary deeds, and Your Orators are advised that in this state of the case if the said Eliza Willson had survived the said James H. Willson, the said division so as aforesaid made would not have concluded her or been binding on her either in Courts of law or equity, without the subsequent confirmation and ratification thereof, and division having been made during her coverture and without her consent and concurrence expressed in accordance with law to affect her rights in said Real Estate, but that her legal rights and interests in said Real Estate would have remained intact both at law and equity to an undivided moiety thereof, and that the estate and interest in said Real Estate of the said Eliza Willson descends unimpaired by said division to her heirs at law hereinbefore named, and that as such heirs at law they are entitled to an undivided moiety in fee in said Real Estate, or respectively to a one ninth interest in fee in a moiety thereof, or to an eighteenth interest in fee in the whole estate. Your Orators further charge that Richard B. Carmichael became the purchaser of all the right, title interest and estate of the said James F. Brown in the whole of said Real Estate at Sheriff's sale thereof made in Centreville on the sixth day of June eighteen Hundred and sixty three as per copy of Sheriff's return herewith filed as part of this Bill of Complaint, marked Exhibit A, and that he is now in the possession of the portion of said Real Estate as aforesaid allotted to the said James F. Brown in the division made between him and the said James H. Willson, but your Orators charge that said Sheriff's sale could not and did not operate to convey to the said Richard B. Carmichael any title or interest in said Real Estate other than the undivided moiety thereof in fee property belonging to the said James F. Brown as aforesaid unless it were for the lifetime of the said James H. Willson said division so as aforesaid made by the said James F. Brown and James H. Willson not operating to convey or confer any title or estate to the said James F. Brown or any claiming by, from or under him unless it were for the lifetime of the said James H. Willson, now deceased as aforesaid, the said Eliza Willson having never ratified or confirmed same in the manner indicated by law but having wholly refused so to do. And Your Orators charge that said Richard B. Carmichael is entitled to an undivided moiety in fee of said Real Estate in tenancy in common with the aforesaid heirs at law of the said Eliza Willson entitled as aforesaid, to the other undivided moiety in fee thereof in the manner hereinbefore specially set forth, and Your Orators charge that said Real Estate is not susceptible of division among the various parties entitled thereto according to their respective interests therein or if same is so susceptible of division cannot be divided without great loss and injury to all

parties concerned. And your Orator charges that there is but one small tenant house on the whole of said Real Estate, that the outbuildings are in a dilapidated condition, wanting repairs and totally insufficient for the uses thereof, that the fencing on said Real Estate is indifferent and insufficient for the uses of same and that said Real Estate is needing manures and fertilizers for the proper cultivation and improvement thereof, and that the heirs at law of said Eliza Willson hereinbefore named are wholly unable to contribute anything to the erection of new buildings repairing old buildings or furnishing the necessary fencing, manures and fertilizers for the proper cultivation and improvement of said Real Estate, and that it is to the manifest interest and advantage of all parties in interest that said Real Estate should be sold and the proceeds of sale arising therefrom distributed among the several parties in interest according to the respective interests and estates therein, and Your Orator charges that as some of the parties in interest are infants under twenty one years of age, said sale cannot be effected without the interposition of the equitable powers of this Court, and that all ^{the} parties to this suit reside in Queen Anne's County aforesaid, To the ends therefore that said Real Estate may be sold and the proceeds of sale distributed among the parties entitled thereto according to their respective interests therein or that same may be divided into two equal parts in value, one thereof to be allotted to the said Richard B. Carmichael and the other to the aforesaid Heirs at law of the said Eliza Willson and that the portion so to be allotted to them may be sold, and the proceeds of sale distributed among them according to their respective estates and interests therein and that the said Richard B. Carmichael, Elizabeth, V. Willson, Mary L. Willson, James Henry Willson, Ella Willson, William E. Willson, Ida Willson, Robert C. Willson and Blanche Willson, the four last named of whom are infants under twenty one years of age as aforesaid, may be required to answer unto the allegations and charges of this Bill of Complaint as if they were thereunto specially interrogated and that your Orator may have such other and further relief as their case may require. May it please Your Honor to grant unto Your Orator the State of Maryland writ of subpoena to be directed to the Sheriff of Queen Anne's County against the said Richard B. Carmichael, Elizabeth, V. Willson, Mary L. Willson, James Henry Willson, Ella Willson, William E. Willson, Ida Willson, Robert C. Willson and Blanche Willson commanding them and each of them to be and appear in this Court on some day to be therein named to answer unto the allegations and charges of this Bill of Complaint and abide by and perform such decrees as may be passed in the premises - and as in duty bound will ever pray &c

John B. Brown

Solicitor for Complainants.

The Exhibit "A" mentioned and referred to in the aforesaid Bill of Complaint is in the words following to wit: To the Circuit Court for Queen Anne's County.

I George F. Burgess Sheriff of Queen Anne's County State of Maryland hereby certify that in and by virtue of the accompanying writs of Fieri Facias issued out of this Court and to me directed, to wit: A writ of Fieri Facias at suit of L. W. Keall use of Chas. W. Buffles use of R. B. Carmichael issued and directed as aforesaid on twentieth day of November eighteen hundred and sixty, a writ of Fieri Facias at suit of George De Rochbruno use of R. B. Carmichael, issued and directed as aforesaid on the fourth day of May eighteen hundred and sixty three, also a Writ of Fieri Facias at suit of Charles C. Brown use of R. B. Carmichael issued and directed as aforesaid on thirteenth day of May eighteen hundred and sixty three against the goods and chattels, lands and tenements of James F. Brown, I did enter upon, seize and take into execution under the first named writ on the said twentieth day of November eighteen hundred and sixty two, and under

the two last named writs on the thirteenth day of May eighteen hundred and sixty three all the right, title interest and estate of the said James F Brown in and to all those tracts parts of tracts or parcels of land situate in Wago Neck Queen Annes County, adjoining the lands of Martha F Brown, R. B. Carmichael, W. H. Rhodes & Sally & Mary Harris called "Woodfields" "Bennetts choice" "Report" or "Liberty" or by whatsoever other name or names the same may be called or known containing Four hundred and seventy acres, one Rod & thirty five Perches of land more or less, being the same land which was devised or descended from Robert C. Brown, father of said Isaac F. Brown to the said James F. Brown Anna Brown afterwards Anna Dilghman, and Eliza Brown afterwards Eliza Wilson (said Anna being long since dead leaving said James F & Eliza her heirs at law) and which said land is more particularly and at large described in two deeds of bargain and sale thereof, one from Charles C. Brown to Robert Brown, of date the nineteenth day of October eighteen hundred and three, & Recorded in Liber S. D. N. No 9 folio 29 one of the land record books for Queen Annes County, the other from Seth Clements to Robert Brown, of date the fourth day of June eighteen hundred and eight and recorded in Liber S. D. N. No 1 folio 173 one of the land record Books for Queen Annes County, and that after due notice given in Centerville State Rights a newspaper published in Centerville Queen Annes County and by advertisement set up at the Court House door in said County for more than twenty days preceding the day of sale, I did on Saturday, the sixth day of June in the year eighteen hundred and sixty three, between the hours of 2 & 4 o'clock P. M. offer said Real Estate so seized and taken in execution as aforesaid, subject to all prior liens, taxes and incumbrances at public sale to the highest bidder, in front of the Court House in the town of Centerville and sold same to Richard B. Carmichael he being then and there the highest bidder therefor, at and for the sum of one Thousand eight hundred and fifteen dollars cash, which said sum the said Richard B. Carmichael has fully satisfied and paid, and I now bring into court to be distributed and applied under its directions, all which is respectfully submitted.

George F. Burgep Shff of
Queen Annes County Md.

True Copy, Test:

Samuel E. Dyott clk

Whereupon summons were issued for Richard B. Carmichael Elizabeth Willson Mary S. Willson James Henry Willson Ella Willson William E. Willson Ida Willson Robert C. Willson and Blanche Willson according to the prayer of the complainants, and the said Richard B. Carmichael, Elizabeth Willson, Mary S. Willson, James Henry Willson, Ella Willson, William E. Willson, Ida Willson, Robert C. Willson and Blanche Willson being "summoned" The court order th direct a commission to be issued to Robert Wright Esquire to assign a Guardian to answer for the Infants Defendants named in the said Bill of Complaint which was accordingly issued in form following to wit:-
Queen Annes County to wit:- The State of Maryland to J. Robert Wright of Queen Annes County, and State of Maryland, Greeting: Whereas George
" Seals Place " R. M. Lubbin & Anna F. M. Lubbin his wife formerly Anna F. Will-
" " " son & William E. Willson, Ida Willson Robert C. Willson & Blanche
" " " Willson Infants under twenty one years of age by Thomas S. Willson
their next friend have filed their bill of complaint in the Circuit Court for Queen Annes County as a Bill of Equity setting forth that heretofore a certain James F. Brown and a certain Eliza Willson formerly Eliza Brown and then intermarried with one James M. Willson were seized and possessed by descent in undivided moieties in fee of certain Real Estate situate in Queen Annes County, State of Maryland adjoining the lands of Martha F. Brown, Richard B. Carmichael, W. H. Rhodes,

and Sallie and Mary Norris called "Woodfields" "Bennetts choice" "Report or Liberty" or by whatsoever other name or names the same may be called or known, and containing four hundred and seventy acres one rood and thirty five perches of land more or less, said Real Estate particularly and at large described in two deeds of conveyance thereof, one from G. G. Brown to Robert Brown bearing date the nineteenth day of October eighteen hundred and three, and recorded in Liber S. F. W No. 7 folio 29 one of the land record books for Queen Annes County, the other from Seth Clements to Robert Brown, bearing date the fourth day of June eighteen hundred and eight and recorded in Liber S. F. W No 10 folio 173 one of the land record books for Queen Annes County, said moiety of the said Eliza Willson being subject to the marital rights of her husband the said James H. Willson in and to the same, That the said James F. Brown and the said James H. Willson in the lifetimes of the said Eliza Willson and during her coverture with the said James H. Willson on or about the year eighteen hundred and

made an unequal division of said real estate, in quantity and value, between the said James F. Brown and the said James H. Willson and Eliza Willson his wife, by which the larger portion of said real estate was allotted to, and possession accordingly delivered to the said James F. Brown, the consideration for which was the remaining portion thereof, which was allotted to the said Eliza Willson and possession thereof delivered to him, the said James H. Willson, in behalf of himself and the said Eliza Willson, and the sum of three thousand dollars, to be paid by the said James F. Brown to equalize said division, that since said division so made as aforesaid, the respective parties, or those claiming by from or under them, have continued so to hold and use said Real Estate, and the said James F. Brown has paid to the said James H. Willson two thousand dollars of the sum of three thousand dollars as aforesaid to be paid by him to equalize said division. That the said James H. Willson and Eliza Willson are both now dead, the former having departed this life in this present year eighteen hundred and sixty five, and the latter in the year eighteen hundred and in the lifetime of the said James H. Willson leaving as their children and as the heirs at law of the said Eliza Willson in and to her estate and interest in the aforesaid Real Estate, the said Anna S. McCallister formerly Anna F. Willson, Elizabeth T. Willson, Mary S. Willson, James Henry Willson, Ella Willson, William E. Willson, Ida Willson, Robert C. Willson, and Blanche Willson the four last named of whom are infants under twenty one years of age. That the division as aforesaid made by the said James F. Brown and the said James H. Willson was never consummated by the interchange and delivery of deeds by the said James F. Brown of the one part, and the said James H. Willson and Eliza Willson his wife of the other part, and that said Eliza Willson when thereunto afterwards requested, wholly refused to ratify and confirm said division as aforesaid made by the interchange and delivery of the necessary deeds, That in this state of the case if the said Eliza Willson had survived the said James H. Willson, the said division so as aforesaid made would not have concluded her or been binding on her either in courts of Law or equity without her subsequent confirmation and ratification thereof, said division having been made during her coverture and without her consent and concurrence expressed in accordance with law, to affect her rights in said Real Estate, but that her legal rights and interest in said Real Estate would have remained intact both in law and in equity to an undivided moiety thereof, and that the estate and interest in said real estate of the said Eliza Willson descends unimpaired by said division to her heirs at law herein before named and that as such heirs at law they are entitled to an undivided moiety in fee in said real estate, or respectively to a one ninth interest in fee in an moiety thereof, or to an eighteenth interest in fee in the whole estate That Richard B. Carmichael became the purchaser of all the right title interest and estate


of the said James T Brown in the whole of said Real Estate at Sheriff's Sale thereof, made in Penitentielle on the sixth day of June eighteen hundred and six ty three, as per copy of Sheriff's return herewith filed, and that he is now in the possession of the portion of said Real Estate as aforesaid allotted to the said James T Brown in the division made between him and the said James H. Willson, that said Sheriff's sale could not and did not operate to convey to the said Richard B. Carmichael any title or interest in said Real Estate other than the undivided moiety thereof in fee, properly belonging to the said James T Brown as aforesaid, unless it were for the lifetime of the said James H. Willson, said division so as aforesaid made by the said James T. Brown and James H. Willson not operating to convey or confer any title or estate to the said James T Brown, or any claiming by, from or under him, unless it were for the lifetime of the said James H. Willson, now deceased as aforesaid, the said Elyja Willson having never ratified or confirmed same, in the manner indicated by law, but having wholly refused so to do, That said Richard B. Carmichael is entitled to an undivided moiety in fee of said Real Estate in tenancy, in common with the aforesaid heirs at law of the said Elyja Willson, entitled as aforesaid to the other undivided moiety in fee thereof in the manner hereinbefore especially set forth, That said Real Estate is not susceptible of division among the various parties entitled thereto, according to their respective interests therein, or if same is so susceptible of division, cannot be divided without great loss and injury to all parties concerned, that there is but one small tenant house on the whole, of said real estate, that the out building are in a dilapidated condition, wanting repairs and totally insufficient for the uses thereof, that the fencing on said real estate is indifferent and insufficient for the uses of same, and that said real estate is needing manures and fertilizers for the proper cultivation and improvement thereof, and that the heirs at law of said Elyja Willson hereinbefore named are wholly unable to contribute anything to the erection of new buildings, repairing old buildings furnishing the necessary fencing, manures and fertilizers for the proper cultivation and improvement of said Real Estate, and that it is to the manifest interest and advantage of all parties, to interest, that said real estate should be sold and the proceeds of sale arising therefrom distributed among the several parties in interest according to the respective interests and estates therein, That as some of the parties in interest are infants under twenty one years of age, said sale cannot be effected without the interposition of the equitable powers of this Court, And forasmuch as the said William E. Willson, Ida Willson, Robert C. Willson and Blanche Willson are infants under the age of twenty one year, and cannot answer the said bill nor defend the said suit, without having a guardian assigned in that behalf, Be it therefore known that the said Court has given unto you full power and authority to assign and appoint a guardian for said Infants and to take the answers of said Infants, by such guardian, to the said Bill, and you are hereby requested that at such day and place as you shall think fit, you go to said infants if they cannot conveniently come to you, and assign and appoint a guardian to said Infants and take the answer of said infants to the said Bill, on such guardian's corporal oath to be administered by you, the said answers being distinctly and plainly written, and when you shall have taken said answers you are to send the same close under your hands and seal together with your certificate of your having assigned such guardian as aforesaid, and this unit to the said court, Witness the Honorable John M. Robinson Judge of said Court the twenty fourth day of July eighteen hundred and sixty five.

Issued this 1st day of August 1865 Samuel E. Dyott Clerk.

And the said Dr. Robert Wright makes return to the Court here of the execution of the foregoing Commission as follows to wit:

To the Honorable John M. Robinson, Judge of the Circuit Court for Queen Anne's County. The subscriber being the commissioner named in the annexed Commission, hereby certify, that in execution of the powers thereto vested in him, he did on the second day of August in the year 1865, proceed to the house of Mrs. M. C. Willson in Queen Anne's County, where the said William E. Willson, Ida

Willow, Robert C. Willow, Blanche Willow, the Infants named in said Commission then were, and caused the said Infants to be brought before me, and then and there in the presence of said infants assigned and appointed George D. Rochbrun of Queen Anne's County Guardian to said Infants, and with the assent of the said infants by their said Guardian, under the oath of said Guardian, by me administered to the Bill of Complaint, in said Commission mentioned, which said answer with said Commission is herewith returned, closed under my hands and seal this 2nd day of August 1865

Robert A. Wright 

The answer of William E. Willow, Ida Willow, Robert C. Willow and Blanche Willow, infants under the age of twenty one years by George D. Rochbrun their guardian to the Bill of Complaint of George B. M^c Cubbin and Anna F. M^c Cubbin his wife formerly Anna F. Willow + William E. Willow, Ida Willow, Robert C. Willow and Blanche Willow by Thomas S. Willow their next friend, against them exhibited. These defendants cannot admit any of the matters and things alleged in said Bill, and being Infants of tender years submit their rights to the protection of this Court.

Geo. D. Rochbrun

On this second day of August in the year eighteen hundred and sixty five, the foregoing named George D. Rochbrun appeared before me Commissioner and made oath that the matters and things stated in the foregoing answers are true to the best of his knowledge and belief.

Robert A. Wright Com^r



and thereupon the said Richard B. Carmichael in his own proper person files in Court here his answer to the said Bill as follows to wit:

The answer of Richard B. Carmichael to the bill of Complaint of George M^c Cubbin + Anna F. his wife (formerly Anna F. Willow) + William E. Willow, Ida Willow, Robert C. Willow + Blanche Willow (by Thomas S. Willow their next friend). This Defendant reserving to himself the advantage of exception to the errors + imperfections in the said bill of Complaint contained, for answer thereto answering saith: that the facts set forth in the said bill, in respect of the division attempted between James F. Brown + James H. Willow and Eliza Willow his wife, the terms and conditions of the same and the money paid by the said Brown are true as he has been informed. He admits that the division so attempted is ineffectual in law to bar the rights of the heirs of said Eliza Willow in and to the lands in the said bill of Complaint mentioned: and that he has purchased all the interest and estate of the said James F. Brown in and to the same - This Defendant is of opinion that the said lands is susceptible of division into two equal parts and that the condition of the estate is generally such as is stated in the said bill of Complaint, and he is ready to submit to such decree in the premises as to the Court may seem right.

Rich^d B. Carmichael (pp)

And thereupon the said Elizabeth V. Willow, Mary L. Willow, James Henry Willow came into Court here by R. A. Wright Esquire their Solicitor and file into Court here their answers to the said Bill as follows to wit: The joint and several answers of Elizabeth V. Willow, Mary L. Willow James Henry Willow + Ella Willow to the Bill of Complaint of George B. M^c Cubbin and Anna F. M^c Cubbin his wife, formerly Anna F. Willow + others against them + others in the Circuit Court for Queen Anne's County in Equity Exhibited. These Defendants reserving to themselves the advantage of exception to the errors + imperfections in the said Bill of Complaint contained, for answer thereto answering say: that it is true as therein set forth that a certain James F. Brown and Eliza Elizabeth Willow, formerly Eliza Brown, were seized and possessed by descent in undivided moieties of the Real Estate therein described, the undivided moiety of the said Eliza Willow, being subject to the marital rights of James H. Willow with whom she was then intermarried - that it is true as stated that a division of said Real Estate was attempted to be made between the said James F. Brown and the said James H. Willow and

Eliza Willson his wife in the manner indicated in said bill but was never consummated so as to bar the rights of the Heirs at law of the said Eliza Willson to an undivided moiety of said Real Estate - that the said James H. Willson and Eliza Willson, his wife, are both now dead, and the names of the heirs at Law of the said Eliza Willson are correctly set forth in said bill of Complaint - that it is true as stated that Richard B. Carmichael became the purchaser of the undivided interest in said Real Estate properly belonging to the said James S. Brown and that he is now in the possession of the portion of said Real Estate allotted to the said James S. Brown in the ineffectual division thereof referred to, that the said Heirs of the said Eliza Willson are entitled to an undivided moiety of said Real Estate or each to a one ninth interest in an undivided moiety thereof in each to an undivided eighteenth interest in the whole of said Real Estate - that said Richard B. Carmichael is entitled to an undivided moiety of said Real Estate - that in the opinion of your Respondents said Real Estate is susceptible of division into two parts but that the portion thereof to which the Heirs of the said Eliza Willson may become entitled in such division would not be susceptible of further division without loss and injury to the parties in interest - that the general condition of said Real Estate is such as is set forth in said bill of Complaint and that the heirs at law of the said Eliza Willson are unable to contribute to the improvement thereof as charged in said Bill of Complaint. Now Respondents further set forth that they are willing to abide by and perform such decree as this Court may see proper to pass in the premises - and, as in duty bound will ever pray &c -

Signed

Lizzie T. Willson
 Mary L. Willson
 J. Henry Willson
 Ellen Willson

B. W. Wright sol^r for Defendants.

And thereupon the Court pass the following Decree to wit:

George B. Mc Cubbin & wife
 & others
 vs
 Richard B. Carmichael & others

In the Circuit Court for Queen Anne's County
 in Equity. July Term 1865

This cause standing ready for hearing and being submitted without argument the proceedings were read and considered. It is thereupon this 21st day of August eighteen Hundred and sixty five by the Circuit Court for Queen Anne's County in Equity and by the authority thereof adjudged, ordered and decreed that there be a partition of the Real Estate in the proceedings mentioned and described - And to the end that this Court may be enabled to make such partition it is adjudged, ordered, and decreed that a Commission issue in the usual form to William H. Forman, Henry Dodds, Charles S. B. Mitchell, William Hammond, William W. Rhodes of Queen Anne's County, Maryland, authorizing them or any four or three of them to enter upon, walk over and survey the said Real Estate and to value the same subject to all incumbrances, if any thereon, and to divide the same, having regard to quantity and quality, if in their opinion the said Real Estate be susceptible of such division, with advantage to all parties interested therein, according to the following proportions, that is to say, to divide off and allot to Richard B. Carmichael one half part thereof and to divide off and allot to Elizabeth T. Willson, Mary L. Willson, James Henry Willson, Ellen Willson, William E. Willson, Ida Willson, Robert C. Willson, Blanche Willson and Anna T. Mc Cubbin, each, one ninth part of the other one half part thereof, or one eighteenth part of the whole of said Real Estate, and if in their opinion the said Real Estate be not susceptible of such division, with advantage to all the parties interested therein, then that they proceed to divide the same into such lesser number of parts as they may deem most to the advantage of all parties interested therein, and ascertain the value of each part, thereof, subject to any incumbrances thereon, having regards as aforesaid to quantity and quality. And if in their opinion; the said Real Estate will not admit of division, without loss

out or cause to be made out a plot and certificate of the said real estate and of the division thereof with the beginning and courses and an accurate description of the said estate and the several parts thereof, and if the said estate shall be equally divided among all the parties interested according to their several just proportions the - you or a majority of you shall allot to the several parties their respective shares of the said land. And you or a majority of you before you proceed to execute this Commission, shall cause notice to be given to all the parties concerned, if they reside within this state, by advertisement set up at the door of the court House of the county aforesaid, and in such other public places in the county as you may direct, at least thirty days prior to your proceeding to execute this Commission. And if the parties or any of them reside out of the state of Maryland then you or a majority of you before you proceed to execute this Commission shall cause notice thereof to be given by advertisement set up at the door of the Court House in the County aforesaid, and in such other public places in the said County as you may direct, and also in such newspaper or newspapers as you may direct, at least two months previous to your proceeding to execute this Commission. And you or a majority of you having made partition or allotment in manner aforesaid, shall make return of your proceedings under this Commission to the next Circuit Court for Queen Anne's County to happen thereafter, and this shall be your sufficient authority, Witness the Honorable John M. Robinson Judge of the said Court the 24th day of July 1865.

Given this 21st day of August A.D. 1865,

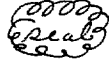
Samuel E. Dyott clerk

Commissioners Oath .

Queen Anne's County to wit: Be it remembered that on the fourth day of September in the year 1865, before me the subscriber one of the State of Maryland Justices of the Peace in and for Queen Anne's County aforesaid personally appeared W. H. Thomas Henry Dodds C. J. B. Mitchell William Hammond William W. Rhodes and made oath on the Holy Evangelical of Almighty God that they will well and faithfully perform the duties required of them by the foregoing commission and all duties assigned them under article 47 of the code of Public General Laws of the State of Maryland and that they will proceed in the execution and completion of the said Commission, without favor or partiality or prejudice and according to the best of their judgment and understanding.

Cost 50^{cts} pd



Sworn before.

G. W. Handy J. P. 

And on the 26th day of October in the Year last aforesaid the following Deed was filed to wit:-


This Deed made this ninth day of October eighteen hundred and sixty five, by us, George B. Mc Cubbin and Anna S Mc Cubbin his wife, witnesseth: that in consideration of the sum of eight hundred and twenty two dollars and fifty five cents, the said George B. Mc Cubbin and his wife do grant unto Richard S Lammere, all the right title interest and estate, of them the said George B. Mc Cubbin and wife in and to a certain tract or parcel of lands commonly known as Woodfields or by whatever name or names the same may be called or known, unto him the said Richard S, Lammere, his heirs and assigns forever, Witness our hands and seals the day and year above written.

Test J. H. Willson

George B. Mc Cubbin 
 Annie S Mc Cubbin 

G. W. Handy

State of Maryland Queen Anne's County to wit: Be it remembered that on this ninth day of October eighteen hundred and sixty five, personally appeared, before the subscriber a justice of the peace of the State of Maryland in and for Queen Anne's County, George B. Mc Cubbin and Anna S Mc Cubbin his wife, and did each acknowledge the foregoing deed to be their respective act

G. W. Handy J. P. 

And on the 26th day of October in the Year last aforesaid The following Release was brought to be recorded to wit:

Stamps place 2 cents
Stamps place 2 cents
Stamps place 2 cents
For and in consideration of the sum of eight hundred and twenty two dollars and fifty five cents, I hereby assign, transfer and make over to Richard S Larrimore his heirs and assigns all my right, title, interest and claim in and to a certain tract of land commonly known as and called Woodfields situate in Queen Annes County, Witness my hand and seal this ninth day of October eighteen hundred and sixty five

Test R. E. Davidson
John B. H. Embert.
D. H. Willson

And on the twenty sixth day of October in the Year last aforesaid, The following Release was filed to wit:

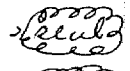
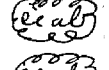
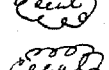
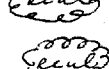
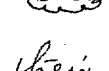
Stamps place 2 cents
Stamps place 2 cents
Stamps place 2 cents
For and in consideration of the sum of eight hundred and twenty two dollars and fifty five cents, I hereby assign transfer and make over to Richard S Larrimore, his heirs and assigns all my right title interest and claim in and to a certain tract of lands commonly known as and called Woodfields situate in Queen Annes County, Witness my hand and seal this ninth day of October eighteen hundred and sixty five.

Witness George B. Mc Cubbis
Inot Test
Lizzie V. Willson

Whereupon further process of and upon the premises aforesaid is further continued until the sixth Monday of November next, At which said sixth Monday of November in the year Eighteen Hundred and sixty five, comes into Court here the said George B. Mc Cubbis and Anna S Mc Cubbis his wife formerly Anna S Willson and William E. Willson, Ida Willson Robert C. Willson + Blanche Willson Enfants, under twenty one years of age by Thomas S. Willson their next friend by their Solicitor aforesaid and William H. Forman Charles D. B. Mitchell W. S. Hammond William W. Rhodes and Henry Dods Commissioners named in aforesaid Commission make the following Return to wit:

To the Circuit

Court for Queen Annes County Nov Term 1865. We the Commissioners appointed by the Hon^{ble} Court to survey and divide an estate in Wyo Neck, called "Bonnetts Choice" "Sleepant or Liberty", Report that after having taken the oath annexed to the Commission and having given the notice required by law we proceeded on the day appointed (Sept 28th 1865) to execute our duties as contained in the Commission. After careful consideration we determined the property should be divided into three parts, the quantity of lands and the way in which it is situated rendering these divisions in our opinion, the most beneficial to all the parties concerned. The Certificate of the Surveyor and his plat of the premises accompanying this report will show the several divisions, and the quantity of land in each. Division No 1 containing Two Hundred and twenty five acres, three rods and twenty one perches. We valued at forty two dollars per acre, making nine thousand four hundred and eighty nine Dollars and sixty three and three fourths cents. - Division No 2 containing One hundred and twelve acres, one rod and four perches; we valued at twenty eight dollars per acre making three thousand one hundred and forty three dollars and seventy cents. Division No 3 containing One hundred and forty eight acres, one rod and seven perches, we valued at fifteen Dollars per acre, making two thousand two hundred and twenty four dollars and forty and five eights cents. The whole valuation amounting to fourteen thousand eight hundred and fifty seven dollars and twenty four and three eights cents. In case this Land be sold the Commissioners think that the Landing on Lot No 1 should be a common landing for all the divisions, and that the line which divides No 1 from Nos 2 & 3 should be a right of way for all the divisions.


W. A. Forman 
 G. J. O. Mitchell 
 W. S. Hammond 
 Wm. S. Rhodes 
 Henry Rhodes 

I hereby signify my approval of the action of the Commissioners as set forth in their above report.

Robert A. Wright Guardian

This Commission was engaged in this survey and division three days with the surveyors and two chain carriers. There is one day charge for writing this Report, and one day charge for taking it to the Court

D. R. Wright attended on Commission 2 days
 Commissioners for the estate of James Brown & Mrs. Willson Q^r
 1865

Sept 28 th 29 th 30 th	To 3 days surveying of 4	\$ 12.00
	To plot made from old deeds for Commissioners use upon survey	4.00
	Contenting whole Tract, and three lots	12.00
	Dividing, platting & Certificates	8.00
Decr 11 th 1865 Rec ^d	part of the above bill in full of Judge R. O. Carmichael	\$ 36.00

James W. Thompson

John B. Brown Esqr paid the chain carrier employed by me by directions of Commissioners the sum of \$4.00 and Mr. Rhodes furnished a chain carrier at the same price. I suppose he will return the bill, when he returns his sum for services as Commissioner

Accompanying the foregoing Return was the following Certificate and Plot to wit:
 State of Maryland Queen Annes County Sit: I hereby certify that I have surveyed for William W. Forman, Henry Dodd, Chas. J. B. Mitchell William S. Hammond and William W. Rhodes. Commissioners, appointed by the Circuit Court of Queen Annes County to value, and divide the real estate of a Tract of Land in Wye Neck, composed of Parts of tracts, called "Bennetts Choices" "Kedpaut" or "Liberty" now reduced into one Tract containing within the following metes and bounds, courses and distances to wit: Beginning at the Southeast corner, where a Post, the Beginning of both Tracts is described to have stood, and running thence North forty one degrees thirty minutes East one hundred and twenty perches to a stone, thence North forty five degrees East sixty four perches, thence North forty degrees West seventy six perches thence North eighteen degrees West fourteen perches to a stone, thence South eighty six degrees thirty minutes West ninety nine perches, thence North ten perches thence South seventy eight degrees forty five minutes West thirty eight perches to a stone, thence North eleven degrees fifteen minutes West One Hundred and sixty eight perches, thence South thirty six degrees West eighty one perches thence North seventy five degrees West nineteen perches, thence South thirty seven degrees fifteen minutes West sixty three perches, thence South forty degrees West one hundred and nine perches, thence South seven degrees East one hundred and twenty six perches, thence South eighty seven degrees East fifty five perches, thence North eighty seven degrees East fifty one perches, thence South fifty five degrees East thirty eight perches, thence South fifty seven degrees East forty six perches thence North eighty five degrees East forty degrees, thence South fifty degrees East eighteen perches and thence straight to the Beginning, containing four hundred and eighty six acres, two rods and five perches of land, I then divided the same into three parts, Nos 1, 2 and 3 as follows, No 1. Begins at the beginning of the whole Tract and runs thence North forty one

degrees thirty minutes East eighty four perches, thence North fifty degrees West seventy four perches thence North seventy six degrees West two hundred and seventy four perches thence South forty degrees West twelve perches, thence South seven degrees East one hundred and twenty six perches thence South eighty seven degrees East fifty five perches, thence North eighty seven degrees East fifty one perches, thence South fifty five degrees East thirty eight perches thence South fifty seven degrees East forty six perches thence North eighty five degrees East forty perches, thence South fifty seven degrees East eighteen perches, and thence with a straight line to the Beginning containing two hundred and twenty five acres, three rods and thirty one perches of land, No 2 begins at the end of No 1 and runs thence North forty one degrees thirty minutes, East thirty six perches thence North forty five degrees East sixty four perches, thence North forty degrees West seventy six perches, thence North eighteen degrees West fourteen perches, thence South eighty six degrees thirty minutes, West ninety nine perches, thence North ten perches thence South seventy eight degrees forty five minutes, West thirty eight perches thence South fourteen degrees West seventy two perches, thence South seventy six degrees East eighty four perches and thence South fifty degrees East seventy four perches to the Beginning, containing one hundred and twelve acres, one rod and four perches of Land, No 3 begins at a stave at the end of the seventh line of the whole Tract and runs thence North eleven degrees fifteen minutes West one hundred and sixty eight perches, thence South thirty six degrees West eighty one perches, thence North seventy five degrees, West nineteen perches, thence South thirty seven degrees fifteen minutes, West sixty three perches, thence South forty degrees West ninety seven perches, thence South seventy six degrees East one hundred and ninety perches, and thence North fourteen degrees East seventy four perches to the Beginning containing one hundred and forty eight acres, one rod and seven perches of Land,

James W. Thompson Surveyor of 2^d A
County September 30th 1865

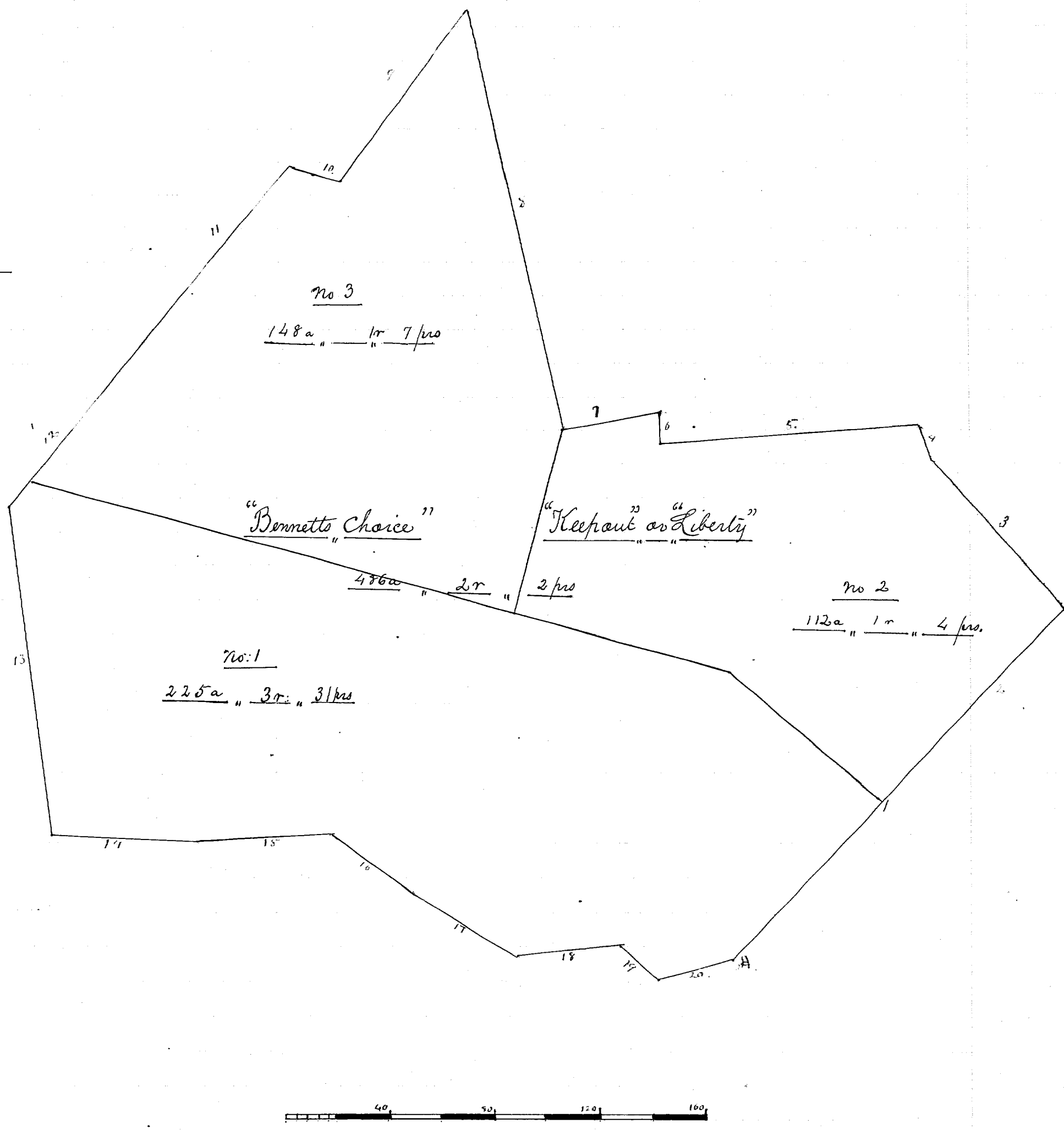
Now, the above lines were all run except the branch lines, They were taken from Title Papers a Deed from Chas. E. Brown to Robert Brown, and a deed from Seth Clements to Robt. Brown.

Table of Courses		
S.	Bearings	Distances
1.	N 41° 30' E.	120 pns
2.	N 45° " E	64 "
3.	N 40° " W	76 "
4.	N 18° " W	14 "
5.	N 86° 30' W	99 "
6.	North	10.
7.	S. 78° 45' W	38 "
8.	N 11° 15' W	168 "
9.	S 36° " W	81 "
10.	N 75° " W	19 "
11.	S. 37° 15' W	63 "
12.	S 40° " W	109 "
13.	S 7° " E	126.
14.	S 87° " E	55.
15.	S 87° " E	51 "
16.	S 55° " E	38 "
17.	S 57° " E	46 "
18.	S 85° " E	40 "
19.	S 50° " E	18 "
20.		
		4860 2r 2 pns

No 1

Table of Courses		
S.	Bearings	Distances
1	N. 41° 30' E	84 pns
2	N. 50° " W	74 "
3	N. 76° " W	274 "
4	S. 40° " W	12 "
5	S. 7° " W	126 "
6	S. 87° " E	55 "
7	N. 87° " E	51 "
8	S. 55° " E	38 "
9	S. 57° " E	46 "
10	N. 85° " E	40 "
11	S. 50° " E	18 "
12		
		2250 1r 4 pns

E. W. S.



No 2

1	N. 41° 36' E	36 ps
2	N. 45° " E	64 "
3	N. 40° " W	76 "
4	N. 18° " W	14 "
5	S. 86° 30' W	99 "
6	North	10 "
7	S. 78° 45' W	38 "
8	S. 14° " W	72 "
9	S. 76° " E	84 "
10	S. 58° " E	74 "
112a 1r 7 ps		

No 3

1	N. 11° 15' W	168 ps
2	S. 36° W	81 "
3	N. 75° W	19 "
4	S. 37° 15' W	63 "
5	S. 40° " W	97 "
6	S. 76° " E	190 "
7	S. 14° " E	72 "
148a 1r 7 ps		

James W. Thompson
 Surveyor of L. Anne's County
 September 30th 1865

And thereupon further process of and upon the premises aforesaid was by regular con-
tinuances continued from Term to term of the said Court until the first Monday of
May in the year Eighteen Hundred and sixty six. On the twenty fourth day of
May in the Year aforesaid comes into Court here John B. Brown Solicitor for Complai-
ants and B. N. Wright Solicitor for Defendants, filed into Court here the following Agree-
ment to wit:-

George B. Mc. Cubbin & wife
& others
vs
Richard B. Carmichael & others

In the Circuit Court for Queen Annes County
in Equity May Term 1866

It is hereby agreed between the undersigned, Solicitors
for Complainants and Defendants in the cause respectively, that the papers in the cause
be submitted to the Court for an order, finally ratifying and confirming the Return of
the Commissioners, appointed to value and divide and make partition of the Real Estate
in the proceeding mentioned, heretofore made and filed in this cause.

John B. Brown Solicitor for Complainants
B. N. Wright Solicitor for Defendants

And on the said day in the Year last aforesaid, the following Order ratifying and confirming
the Return of the Commissioners was passed to wit:-

George B. Mc. Cubbin and
Anna J. Mc. Cubbin, his wife
& others
vs
Richard B. Carmichael & others

In the Circuit Court for Queen Annes County in
Equity May Term 1866

This Cause standing ready for hearing and being
submitted and no exception having been taken to the
Return of the Commissioners appointed to value and divide and make partition of
the Real Estate mentioned in the proceeding in the cause as allowed by the rules of
the Court - the proceedings were read and considered. It is thereupon, this twenty
fourth day of May, in the year Eighteen Hundred and sixty six, by the Circuit
Court for Queen Annes County in Equity, and by the authority thereof, adjudged or-
dered and decreed, that the aforesaid Return of the Commissioners to value and
divide and make partition of the Real Estate in the proceedings in the cause mentioned
and the valuation and division thereof by them made, be and the same is hereby
finally ratified and confirmed.

Geo. M. Robinson

And on the said day in the Year last aforesaid, the following Assignment was filed
to wit:-

George B. Mc. Cubbin & wife
& others
vs
Richard B. Carmichael & others

In the Circuit Court for Queen Annes County in
Equity May Term 1866

To the Honorable John M. Robinson, Judge of the
Court for Queen Annes County, in Equity: This is to certify to your Honor that for
value received I have assigned, transferred and set over to the use and do hereby
assign, transfer and set over to the use of Richard B. Carmichael of Queen Annes County
in the State of Maryland all my right title interest and estate in and to the
Real Estate in the proceedings in the cause mentioned and described consisting of
the share assigned me by James H. Willson, eldest child and heir at law of Eliza
or Elizabeth Willson deceased and the shares assigned me by Elizabeth V. Willson
and George B. Mc. Cubbin and Anna J. Mc. Cubbin, his wife, formerly Anna J. Willson

May 24. 1866

R. B. Larrison

and on the said day in the Year last aforesaid, Rhd. Carmichael appears in open Court and files his election to take the Real Estate at the valuation in form following to wit:-

George B. Mc Cubbin & wife
& others

On the Circuit Court for Queen Anne's County
in Equity - May Term 1866

Richard B. Carmichael & others

I Richard B. Carmichael of Queen Anne's County, in the State of Maryland, representing the interest in the Real Estate in the proceedings in the cause mentioned formerly belonging to James S. Brown as described in the Bill of Complaint and accompanying exhibit and the interest formerly belonging to James W. Willson, eldest male child and heir at law of Elizav or Elizabeth Willson deceased, do hereby elect to take said Real Estate at the valuation thereof made by the Commissioners appointed in the cause and pray the Circuit Court for Queen Anne's County in Equity to prescribe the terms of such election

Rich^d. Bth. Carmichael

And on the said day in the Year last aforesaid, The following Order of Court was passed to wit:-

George B. Mc Cubbin & wife
& others

On the Circuit Court for Queen Anne's County in
Equity, May Term 1866

Richard B. Carmichael & others

Richard B. Carmichael, of Queen Anne's County in the State of Maryland, entitled to take the Real Estate in the proceedings in the cause mentioned at the valuation thereof made by the Commissioners appointed in the cause, having appeared in open Court and made his election in writing to take the Real Estate at the aforesaid valuation; and it appearing to the Court that said Richard B. Carmichael is entitled by purchase, assignment and otherwise to twelve eightieths of said valuation, after deducting therefrom the sum of two hundred and sixty eight dollars and fifty one cents hereby appropriated to the payment of the costs of this suit to be taxed by the Clerk of this Court, including therein the additional fee of \$34.45 allowed the Complainant's Solicitor for management of the cause and the sum of sixty eight dollars and fifty one cents, being the amount of taxes charged on said Real Estate for year eighteen Hundred and sixty five and paid by said Richard B. Carmichael, it is thereupon by the Circuit Court for Queen Anne's County and by the authority thereof adjudged ordered and decreed that said Richard B. Carmichael execute his bonds to the State of Maryland to be filed in the cause in the penalty of nine thousand dollars with two or more sureties to be approved by this Court conditioned for the payment of the sum of eight hundred and ten dollars and fifty one cents with interest thereon from date thereof to each one of the remaining parties in interest to wit: to -

Mary L. Willson	\$ 810.51
Ella Willson	810.51
William E. Willson	810.51
Ida Willson	810.51
Robert C. Willson	810.51
Blanche Willson	810.51
Total -	\$ 4,863.06

said several sums of eight hundred and ten dollars and fifty one cents to be paid to the adult heirs or representatives within thirty days from this date, and to the

minor Heirs as they shall severally arrive as to the males at the age of twenty one years and as to the females at the age of eighteen years, the interest annually accruing on the respective shares of the minors to be paid at the end of each year from this date to the legally constituted guardians of such minors until they shall arrive at the age aforesaid, and as soon as said valuation is fully paid this Court will pass its order directing a conveyance of said Real Estate to be made to the said Richard B. Carmichael in fee simple

Geo M. Robinson
 May 24th 1866.

And thereupon the said R. B. Carmichael in compliance with the foregoing Order files in Court here as Bond, in the following words to wit:

"Stamps"	"Stamps"	"Stamps"	"Stamps"	"Stamps"	Know all men by these presents
"Place"	"Place"	"Place"	"Place"	"Place"	that we, Richard B. Carmichael,
"five cents"	"five cents"	"five cents"	"five cents"	"five cents"	Washington Finley and Lloyd
" " "	" " "	" " "	" " "	" " "	Filghman of Queen Annes County

in the State of Maryland, are held and firmly bound unto the State of Maryland in the full and just sum of nine thousand dollars, current money to be paid to the State of Maryland or its certain attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, sealed with our seals and dated this twenty fourth day of May eighteen hundred and sixty six. Whereas by an order of the Circuit Court for Queen Annes County in Equity, passed in a cause in said Court wherein George B. Mc Cubbin & wife & others are Complainants and Richard B. Carmichael and others are Defendants and bearing date the twenty fourth day of May instant, the said Richard B. Carmichael, having elected to take the Real Estate in the said cause mentioned, was directed to execute this bond to the State of Maryland to be filed in the cause in the penalty of nine thousand dollars with two or more sureties to be approved by said Court and conditioned for the payment to

Mary L. Willson	of	810.55
Ella Willson	"	810.55
William E. Willson	"	810.55
Ida Willson	"	810.55
Robert C. Willson	"	810.55
Blanche Willson	"	810.55
	Total	\$ 4,863.06

in the following manner, to wit: the said several sums of eight hundred and ten dollars and fifty one cents with interest from date of said order to be paid to the adult representatives or heirs above named within thirty days from date of said order, and to the minor heirs or representatives above named as they shall severally arrive at the age of twenty one years as to the males, and eighteen years as to the females, and the interest annually accruing thereon from date of said order to be paid at the end of each year therefrom to the legally constituted Guardians of such minors until they shall arrive at the ages aforesaid. Now the condition of the above obligation is such, that if the above bound Richard B. Carmichael shall pay or cause to be paid to the said Mary L. Willson, Ella Willson, William E. Willson, Ida Willson, Robert C. Willson and Blanche Willson, each the several sum of eight hundred and ten dollars and fifty one cents with interest from the twenty fourth day of May instant, to the adult heirs or representatives above named within thirty days from aforesaid date, and said principal sum of eight hundred and ten dollars and fifty one cents to each of the minor heirs or representatives

above named as they shall severally arrive at the age of twenty one years as to the males, and eighteen years as to the females, and the interest thereon from said date annually accruing at the end of each year to the legally constituted Guardians of such minors until they shall arrive at the ages aforesaid, then this obligation shall be void; else in full force and virtue in law

Signed, Sealed and Delivered
in the presence of
John B. Brown

Rich^d Bth Carmichael
Wash Finley
Lloyd Silghman

Seal
Seal
Seal

Washman & Gibson admors of
 Enoch George
 as
 Charles H. Weakley
 Wm H. Beck

Be it remembered that on the twenty first day of July in the Year Eighteen Hundred and fifty nine, Washman & Gibson admors of Enoch George by P. B. Hopper his Solicitor filed in Queen Annes County Circuit Court sitting as a Court of Equity his Bill of Complaint against the said Charles H. Weakley and William H. Beck in the following words to wit:-

To Hon R. B. Carmichael Judge of the Circuit Court for Queen Annes County, The Bill of Complaint of Washman & Gibson administrators of Enoch George deceased respectfully shews: that heretofore on or about the day of July in the Year Eighteen Hundred and fifty five a certain Charles H. Weakley of Queen Anne County agreed with the said Enoch George to purchase from him a certain Lot of ground with the improvements thereon situate in the village of Church Hill of said County (being the same lot which the said Enoch George purchased of Edward Suttiff and wife) at and for the sum of one Thousand Dollars current money; which with interest from said day was to be paid to the said Enoch George at certain periods which have long since passed: and your orator charges that no part of the said sum of money was paid to the said Enoch George in his lifetime except the sum of Two Hundred and thirty five dollars and fifty cents which was paid on or about the twenty fifth day of September in the year Eighteen Hundred and fifty six, and that since the death of the said E. George, no further payment has been made unto your orator as administrator as aforesaid, but that the whole balance is now due and owing from the said Charles H. Weakley, and your orator is advised and verily believes that the said Charles H. Weakley is altogether insolvent, and that he could not make the said claim out of the said Charles by any proceedings which he might institute at law, and that he is wholly ^{without} any or sufficient and adequate remedy for the collection of said claim, unless the equitable powers of this Court shall aid him in the enforcement of his ^{claim} for the said balance of unpaid purchase money. Your orator is also advised that, since the death of the said Enoch George, all of the right title and interest in said lot of ground and improvements which belonged to the said Charles H. Weakley has been purchased by William H. Beck of said County, but that the same is liable in his hands for the payment of said balance, and that Your orator is entitled to have the same sold unless the said Charles H. Weakley or the said William H. Beck shall bring into this Court the amount with interest now due on said real estate.

To the end therefore, that the said Charles H. Weakley and the said William H. Beck may answer the matters and things hereinbefore stated as fully and particularly as if they were herein again repeated, and they were therewith specially interrogated, and that a decree may be passed for the sale of the said House and Lot, for the purpose of paying the balance of said purchase money as aforesaid, and that Your orator may have such further and other relief as his case may require.

May it please Your Honor to grant unto Your orator the Writs of Subpoena against the said Charles H. Weakley and the said William H. Beck of Queen Annes County, commanding them to appear in this Court, at some certain day to be therein named, to answer the premises, and abide by and perform such decree as may be passed therein, And as in duty bound &c-

P. B. Hopper

Sole for Compl^t

* And Your orator further charges that the said Enoch George, departed this life sometime in the Year Eighteen Hundred and fifty ^{in testate} and that letters of administration was granted unto Your orator by the Orphans Court of Queen Anne County, and that he has entered upon the administration of the personal estate of the said Enoch George

Whereupon Summons was issued for the said Charles H. Weakley and William H. Beck according to the prayer of the Complainant which said Summons was returned in July Term in the Year Eighteen Hundred and fifty nine with the following endorsement thereon to wit:
 "Beck Non Est, Weakley Sum^o Edward Sudler Sheriff"

Whereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of January next, in the Year Eighteen Hundred and sixty, and on the 31st day of the Month and Year aforesaid comes into Court here the said Charles H. Weatley and William H. Beck by John M. Robinson their Solicitor and filed into Court here their answer to the said Bill of Complaint in the words following to wit:

Woolman J. Gibson admr of Enoch George

Jan'y Term 1860

vs Charles H. Weatley W. H. Beck

The joint and several answers of Charles H. Weatley W. H. Beck to the bill of Complaint of Woolman J. Gibson admr of Enoch George against them in the Circuit Court of Queen Annes County Exhibited. These Defendants admit the several matters and things alleged in Bill of Complaint to be true + submit to such decree as may be right and proper in the premises.

John M. Robinson Sol for Defendants

It is agreed that the above answer shall be taken without affidavit & that the Court may pass therein

John M. Robinson Sol. Defents P. B. Hopper Sol. for Com:

And on the said day in the year last aforesaid the following agreement was filed to wit:

Woolman J. Gibson admr of Enoch George

In Chancery

vs Charles H. Weatley W. H. Beck

It is agreed that the above case be submitted to the Court and answer for decree.

P. B. Hopper Sol for Complainants, John M. Robinson Sol for Defendants.

And on the said day in the Year last aforesaid the Court passed the following Decree to wit:

Woolman J. Gibson admr of Enoch George

In the Circuit Court for Queen Annes County In Equity

vs Charles H. Weatley W. H. Beck


This case standing ready for hearing and being submitted without argument on bill and answer, the proceedings were read and considered. It is hereupon this 31st day of January in the year eighteen hundred and sixty by R. B. Carmichael Judge, and by the authority of this Court, adjudged, ordered and decreed that the defendants pay or bring into this Court to be paid unto the Complainant the sum of Eight Hundred and thirty nine Dollars and seventeen cents, the same being the balance of purchase money due for the lands and premises in the proceedings mentioned together with interest thereon from the 25th day of September in the year eighteen hundred and fifty six until so paid or brought in, and the Complainant's costs of suit to be taxed by the Clerk, and upon payment of the aforesaid sum of money, with interest and costs as aforesaid, or bringing the same unto this Court, the Complainant by a good and sufficient deed, to be executed, and acknowledged agreeably to law, shall convey unto the said W. H. Beck and his heirs the land and premises in the proceedings mentioned and described as sold by the said Enoch George to the said Charles H. Weatley and all the right, title interest and estate which the said Enoch George had at the time of said sale, and it is further adjudged, ordered and decreed that unless

the defendants or any of them shall pay or bring into this Court to be paid unto the complainant, the aforesaid sum of money with interest and costs as aforesaid, and before 15th day of February next, the aforesaid lands and premises or so much thereof as may be necessary to discharge the complainant's claim then remaining unsatisfied, be sold. That P. B. Happer of Queen Anne's County be and he is hereby appointed Trustee to make such sale; and that the course and manner of his proceedings shall be as follows: He shall first file with the Clerk of this Court, a bond to the State of Maryland executed by himself with a surety or sureties to be approved according to law, in the penalty of seventeen Hundred 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 premises, having given at least three weeks previous notice inserted in some newspaper published in Queen Anne 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 viz: one Hundred and fifty dollars to be paid on the day of sale, and the residue of purchase money to be paid in two equal instalments in six and nine months from day of sale with interest from said date, and then payment thereof to be secured by the bond of the purchaser with a surety or sureties to be approved by the Trustee. 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 annexed - and on the ratification of such sale by this 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 said property and to his heirs 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 claiming by, from or under them and free and clear of any claim of the said E. George or any parties claiming by from or under them, and the said Trustee shall bring into this Court the money arising on such 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 this Court shall think proper to allow in consideration of the skill, fidelity and attention, wherewith he shall appear to have discharged his trust.

Rich^d. Bth. Barnichael

And on the sixth day of February in the Year Eighteen Hundred and sixty and the following Power of Attorney was filed to wit:

One M. Robinson Esq. You are hereby authorized to consent to the docketing of an action against one in chancery at the ensuing term of Queen Anne County Circuit Court in favor of W. J. Gibson admr of Enoch George to enforce the vendor's lien for balance of purchase money due from me on the purchase of the House and Lot in Church Hill which I purchased of the said George. I was to pay \$1000.00 with interest from day of July in the year Eighteen Hundred and fifty five. There is a credit to be allowed as of the 25th day of September for Two Hundred and thirty Two Dollars and fifty cents. You will please draw answer accordingly for me and file the same and appear for me. Witness my hand and seal this day of _____ in the year Eighteen Hundred and fifty eight

Chas H. Heatley, 

Trustee's Bond. Know all men by these presents, that we Philemon B. Happer Matthias George & Daniel C. Happer of Queen Anne County in the State of Maryland are held and firmly bound unto the State of Maryland in the full and just sum of seventeen Hundred Dollars current money to be paid to the said State of Maryland or its certain attorney, to which payment well and truly to be made

and done we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally for ourselves by these presents, Sealed with our seals and dated this third day of June in the year Eighteen Hundred and sixty three, Whereas by a decree of the Circuit Court for Queen Anne County sitting as a Court of equity bearing date the thirty first day of January in the Year Eighteen Hundred and sixty and passed in a cause in said Court; wherein Nathaniel J. Gibson admr of Enoch George was complainant and Charles, H. Heatley and William H. Beck are defendants, the above bound Phileman B. Hopper has been appointed Trustee to make sale of certain real estate in the proceedings in said cause mentioned. Now the condition of the above obligation is such, that if the above bounden Phileman B. Hopper do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, then the above obligation to be void, otherwise to remain in full force and virtue in law.

Signed, Sealed and delivered
in the presence of
James B. Palmer

Phileman B. Hopper
Matthias George
Daniel C. Hopper

On the back of the foregoing Bond was thus endorsed to wit:-

Approved and filed the 4th day
of June 1863

James Heaters, Clerk,

And on the 6th day of January in the year eighteen Hundred and sixty four, P. B. Hopper Trustee as aforesaid filed the Report of Sale in the words following to wit:-

Nathaniel J. Gibson admr of
Enoch George

In Equity

Decree &c

Chas H. Heatley & Wm
H. Beck

To the Hon R. B. Carmichael Judge of the Circuit Court for Queen Anne's County. The report of P. B. Hopper Trustee appointed by the decree in this cause to make sale of certain real estate therein mentioned, shows: That after giving bonds with security for the faithful discharge of his trust as required by said decree, and giving notice of the time, place, manner and terms of sale by advertisements in the Centreville Times and State Rights newspapers published in the town of Centreville Queen Anne County, for more than three successive weeks before the day of sale, he did pursuant to said notice attend at the tavern of George Finley at Church Hill on Saturday the twenty fifth day of July in the year eighteen hundred and sixty three, between the hours of one and 4 o'clock P. M. and then and there proceeded to sell the house and lot in Church Hill in the proceedings mentioned, at which said sale George D. Kochbrune became the purchaser, he being the highest bidder therefor, for and at the price of seven hundred and fifty Dollars, and he received on the day of sale the sum of one hundred and fifty Dollars in cash, and took the bond of the said George D. Kochbrune with Oliver P. Horgan security for the residue to wit: the sum of six hundred Dollars - all of which is respectfully submitted.

P. B. Hopper Trustee

State of Maryland Queen Anne County to wit:

On the 6th day of February eighteen hundred and sixty four before the subscriber a justice of the peace of the State of Maryland in and for said County personally appeared the within named P. B. Hopper Trustee and made oath that the matters and things stated in the foregoing report are true to the best of his knowledge and belief and that the sale therein

reported was fairly made

Cost 10 cts pd

Ino H. Rowles on J. P.

In the Circuit Court for Queen Anne County sitting as a Court of equity January 6th 1864 ordered that the sale made and reported by P. B. Hopper Trustee to sell the real estate of Charles H. Weatley be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 10th day of March next, provided a copy of this order be inserted in some paper printed at Centreville Queen Anne County once in each of three successive weeks before the 5th day of March next. The report states the amount of sales to be \$750.00

Samuel E. Dyatt Clerk.

And thereupon further process of and upon the premises aforesaid was continued until the first Monday of May in the year eighteen hundred and sixty four on which said first Monday of May in the year aforesaid the Court passes the following order to wit:

In the Circuit Court for Queen Anne County. Ordered this tenth day of May 1866 that the foregoing sale be finally ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given according to the foregoing order. The Trustee is allowed the several commissions and his expenses not personal

J. B. Ricard.

And on the twenty fifth day of March in the year eighteen hundred and sixty five P. B. Hopper Esquire the Trustee made the following report to said Court.

H. D. Gibson admr of
Enoch George

In the Circuit Court for Q. A. Co. sitting as a Court
of Equity,

as
Charles H. Weatley

H. H. Beck.

To the Hon J. M. Robinson Judge

The auditors respectfully reports that he has examined the proceedings in this cause and has therefrom prepared the following account between The real estate sold and the Trustee for the sale thereof He allowed to the Trustee his commissions and expenses, to the Complainants their costs of suit, and the Auditor his fee for stating account &c. after which he assigned the residue of purchase money to the Complainant in part of the in this cause

P. B. Hopper Auditor

March 25. 1865.

Dr: The Real Estate of Charles H. Weatley &c in account with P. B. Hopper Trustee for the sale thereof Ct

		Dols	Cts	Dols	Cts
1863	July 25 th	To the Trustee for his commissions		46	50
		To the Trustee for his expenses		12	50
		To the Complainants for their costs of suit viz:			
		Mr Brown farmer Clerk's fees	7	30	
		Jas Masters " " "		85	
		S. E. Dyatt present Clerk	2	00	
		Same for further probable costs	8	00	
		E. Sudler Sheriff		91	
		Solicitor	20	00	39 25
		To the Auditor for stating this account &c		4	50
		To Complainant H. D. Gibson admr of Enoch George in part of decree in this cause in his favour, the balance		647	25
1863	25 July			750	00
"	"	By amount of proceeds of sale as per Trustee's report of sale filed		750	00
				750	00

And afterwards to wit: On the thirteenth day of May in the year last aforesaid. The Court pass the following Order to wit:

In Queen Anne County Circuit Court sitting as a Court of equity. Ordered this 13th day of May 1865 that the foregoing audit report and account be satisfied, no cause to the contrary thereof having been shown, and the Trustee is directed to pay over accordingly with a due proportion of interest received by him to the several claimants,
Jno. W. Robinson

Queen Annes County to wit: Be it remembered that at a Circuit Court begun and held at Centerville in and for Queen Annes County on the first Monday of November in the year eighteen hundred and sixty five George M. Smith Guardian for John E. Smith of Queen Annes County by John B. Brown his attorney preferred his petition to the Judge of said Court in the following words to wit:

In the Circuit Court for Queen Annes County in Equity, To the Honorable John M. Robinson Judge of the Circuit Court for Queen Annes County in Equity, The petition of George M. Smith of Queen Annes County, State of Maryland, to your Honor respectfully sets forth that your petitioner is the guardian for John E. Smith of County and State aforesaid, appointed by the Orphans Court for Queen Annes County aforesaid and bonded as such as will appear by a copy of said bond herewith filed as part of this petition and marked "Exhibit A" that as such guardian your Petitioner stands charged with the sum of two thousand one hundred and eighty three dollars and fifty and nine twentieths cents, the amount of the principal due said Ward from the sales of certain Real Estate and the further sum of One Hundred and seventy dollars and eighty three cents due said Ward from the personal estate of his deceased father constituting the entire principal of the estate of said Ward to which he is entitled from any source as by Exhibit B will appear: Your Petitioner further sets forth that said Ward has been attending school at West River in Anne Arundel County, State aforesaid for several years past where has exhibited great aptitude for learning and has acquitted himself with considerable credit, that he is desirous of further prosecuting his studies in some of the higher schools or colleges of the County and fitting himself for some one of the learned professions, and is of opinion (in which your petitioner concurs) that his estate can be more properly and advantageously employed and expended for him in his behalf than in any other manner. Your Petitioner further sets forth that as is apparent the annual interest of his estate is wholly insufficient for the purpose aforesaid and in order to enable said Ward to prosecute his studies and to fit himself for one of the learned professions it will be necessary to have the use of the principal of his estate. Your petitioner further sets forth that in the prosecution of his studies as aforesaid, Your petitioner has already used and expended at the solicitation of his Ward and to his manifest advantage some portion of the principal of his funds, and that in order to obtain an allowance therefor by the Orphans Court of Queen Annes County therefor and in order to have the use of the principal for the further prosecution of his studies as aforesaid it will be necessary to obtain an order from this Honorable Court to that effect. Your petitioner being advised that this Court has ample jurisdiction in the matter as the General Guardian and Solicitor of the persons and estates of minors, To the end therefore that your petitioner may obtain allowance for the sums already expended in the manner aforesaid in behalf of his said Ward and that he may be permitted to use such further portions thereof as may be necessary for the purposes aforesaid, May it please Your Honor to pass an order empowering and directing the Orphans Court aforesaid to allow your petitioner in his next guardian account to be passed in said Court for such advances already made to him as aforesaid upon the production of the proper vouchers therefor and also empowering and authorizing him to use such further portions of said principal as may be necessary in the further prosecution of his studies by said Ward as aforesaid and empowering and directing the Orphans Court aforesaid in the further accounts to be returned before said Court to make allowances therefor upon the production of the proper vouchers therefor. Your petitioner sets forth that said Ward is aged about eighteen years. And as in duty bound &c

John B. Brown Solicitor for Petitioner

The Exhibits A & B mentioned and referred to in the foregoing petition are in the words following to wit: Maryland Sec.

Know all men by these presents, that we George M. Smith, Jno S. Price & Mordecai Price are held and firmly bound unto the State of Maryland in the full and just sum of six thousand dollars, current money of said state, to be paid to said state, to which payment well and truly to be made and done we bind ourselves, and every of us, our and every of our heirs, executors and administrators, in the whole and for the whole, jointly and severally, firmly by these presents, sealed with our seals and dated this 4th day of September 1864. The condition of the above obligation is such that if the above bounden George M. Smith as guardian to John E. Smith of Queen Annes County, shall faithfully account with the Orphans Court of Queen Annes County, as directed by law, for the management of the property and estate of the orphan under his care, and shall also deliver up the said property agreeably to the order of the said court, or the directions of the law, and shall in all respects perform the duty of guardian to the said John E. Smith according to law, then the above obligation shall cease; it shall otherwise remain in full force and virtue in law,

Signed, sealed and Delivered, in the presence of W. A. Johnson

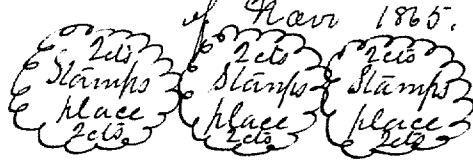
George M. Smith
John S. Price
Mordecai Price



Seals
Seal of the Orphans Court
place

In testimony that the foregoing is truly copied from the original, now on file in my office, I have hereunto set my name and affixed my official seal, this 10th day of Nov 1865.

W. A. Johnson, Reg. Hills for Queen Annes Co.



Cost 45 cts.

This accountant charges himself with the interest from the 1st of January 1862, to the 1st of January 1863 on \$2207.73 1/2 less \$33.63 (Wards part of costs deducted by order of C. Court) the same being Wards proportion of the balance of the proceeds of the Real Estate belonging to Ward and altho, sold by order of the Circuit Court for Queen Annes County, sitting as a Court of Chancery - as per auditors Report filed in said Court appears: -

\$130.41

And with the interest for the same on \$200.83 1/2 the same being the balance of wards distributive share of his deceased fathers personal estate (exclusive of negroes) after deducting thirty dollars due Wards sister, Sarah in equalizing the Division of negroes

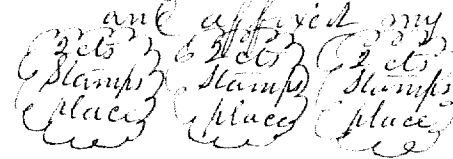
121.05

(Negroes Expense)

\$142.46

In testimony that the foregoing is a true extract from the 3rd Guardians Account of John E. Smith, passed Aug 11th 1863 and now on file in my office I have hereunto set my name,

Seals
Seal of the Orphans Court
place



and affixed my official seal this 10th day of Nov 1865. W. A. Johnson, Reg. Hills for Queen Annes County.

Cost 40 cts.

and thereupon the Court pass the following Order to wit:

In the Matter of the petition of George M. Smith Guardian for John E. Smith. Minor

In the Circuit Court for Queen Annes County in Equity Nov Term 1865.

On the petition of George M. Smith, Guardian for John E. Smith Minor, it is this thirteenth day of November eighteen Hundred and sixty five by the Circuit Court for Queen Annes County in Equity and by the authority thereof

adjudged and ordered that the prayer of the petitioner be and the same is hereby granted, that the petitioner be and he hereby is allowed out of the principal of the estate of his said ward for such sums as may have been already advanced by him over and above his annual income in the maintenance and education of his said ward as set out in said petition - the vouchers thereof to be submitted to the Orphans Court for Queen Annes County and to be approved of by said Court and furthermore that said Guardian be and he hereby is empowered and authorized to expend of the principal of the estate of his said Ward in his maintenance and the further prosecution of his studies as set out in said petition such part thereof as may be requisite and necessary, not to exceed in any one year the sum of five Hundred dollars, the vouchers thereof to be submitted to the Orphans Court for Queen Annes County and to be approved of by said Court - that said Guardian be and he hereby is allowed for the expenses of this proceeding to be taxed by the Clerk of this Court and to be by said Clerk furnished, together with a copy of the said petition and order, to said Orphans Court for Queen Annes County

Ino M Robinson

Nov 13: 1865

Be it remembered that on the 2nd day of July in the year eighteen hundred and fifty nine Ann E. Norman by P. B. Hopper her Solicitor filed in Queen Annes County Circuit Court sitting as a Court of Equity her Bill of Complaint against Mary B. Merchant, Mary E. Merchant Sarah J. Merchant Samuel C. Merchant Rebecca A. Earle William R. Earle Susan E. Haxter Henry Haxter & Frances A. Merchant in the following words to wit:

To The Honorable R. B. Carmichael Judge of the Circuit Court for Queen Anne County. The Bill of Complaint of Anne E. Norman of Queen Anne County, who sues as well for herself as all other Creditors of Mrs W^m Merchant and of John Merchant both late of said County deceased, who will come in and constitute to the expenses of this suit, humbly shews that the said John William Merchant and the said John Merchant both late of Queen Annes County deceased, were in their lifetime indebted unto one James R. Walker in the sum of forty five Dollars current money on their joint single bill with interest from the eighth day of January Eighteen hundred and fifty three, that the said James R. Walker assigned to one Aquilla A. Legg, and that since the death of the said Aquilla Legg, Jacob W. Legg his administrator has assigned the said single bill unto your oratrix, and your oratrix charges that the said John W. Merchant and the said John Merchant being indebted as aforesaid and also unto divers other persons in considerable sums of money both departed this life sometime in the year Eighteen Hundred and fifty six having each some personal estate and both being jointly seized and possessed of a small tract of land as tenants in common, that the said John W. Merchant left a widow Mary B. Merchant who has since intermarried with one Samuel C. Merchant and two children his heirs at law viz: Mary Elizabeth & Sarah Jones, both of whom are infants under the age of twenty one years, that the said John Merchant left the said Samuel C. Merchant, Rebecca A. Earle wife of W^m R. Earle, Susan E. Haxter wife of Henry Haxter and Francis A. Merchant his children and the said Mary Elizabeth and Sarah Jones his grandchildren

and heirs at law: the said Francis A. being under the age of twenty one years. And your Oratrix further charges that administration of all and singular the personal estate of both, the said John W. and the said John Merchant was granted by the Orphans Court of Queen Anne County to one John R. Jeffers, who in virtue thereof possessed himself of said personal estates, but your Oratrix is informed and believes that the same were insufficient to discharge all the debts due and owing by the said intestates at the time of their deaths, that dividends were declared by the Orphans Court on each of said estates, but that your Oratrix received no portion of either, because she failed to file her claims for a share of each of said estates. Your Oratrix is advised that she is entitled to have the aforesaid real estate sold for the payment of her claim and that the other creditors of both the said John W. Merchant and John Merchant are entitled to have their several deficits, after applying the personal estate, made up by a sale of the said real estate. To the end therefore, that the Defendants hereinafter named, may answer the several matters and things herein set forth, as fully and particularly as if the same were herein again repeated, and they were thereunto specially interrogated; and that the aforesaid real estate or so much thereof as may be necessary for the purpose may be decreed to be sold for the payment of the claim of your Oratrix, and so much of the other debts respectively due by them as may remain unsatisfied by the application of the respective personal estates aforesaid (the application of which appears by copies of dividends on the personal estates of both the said John W. and the said John Merchant herewith filed and prayed to be taken as a part of this Bill of Complaint, May it please Your Honor to grant unto your Oratrix the writs of subpoena, against the said Mary B. Merchant, Mary Elizabeth Merchant Sarah Jones Merchant, Samuel C. Merchant Rebecca A. Earle William R. Earle, Susan E. Haxter and Frances A. Merchant commanding them to appear in this Court, at some certain day to be therein named, to answer the premises, and abide by and perform such decree as may be passed therein. And as in duty &c

P. B. Lapper Solr for Compl't:

Whereupon summons were issued for the said Mary B. Merchant Mary E. Merchant Susan J. Merchant Samuel C. Merchant Rebecca A. Earle William R. Earle Henry Haxter Frances A. Merchant and Susan E. Haxter according to the prayer of the Complainant and all being returned summoned except Henry Haxter and Frances A. Merchant, and subpoenas being renewed ^{for them} returnable the first day of November next, in the year aforesaid, they were returned summoned, and the said F. A. Merchant being returned summoned and being a minor the Court appointed William R. Earle to answer and defend for her and thereupon files the following answer to wit:

The answer of Francis A. Merchant an infant under the age of 21 years to the Bill of Complaint of Ann E. Norman against her and others exhibited in the Circuit Court for Queen Anne County sitting as a Court of Equity. This Defendant cannot admit any of the matters and things alleged in said bill and being an infant of tender years submits her rights to the protection of this Court

Test:

B. W. H. Goodhand

Wm R. Earle Guardian

to answer

On this first day of September in the year eight hundred and sixty the above named Wm R. Earle guardian to answer, appeared before me the subscriber a justice of the peace of the State of Maryland and made oath that the matters and things stated in the foregoing answer are true to the best of knowledge and belief.

Sworn Before

Richard Benton J. P.

And thereupon the following answer is filed to wit:

A. E. Norman

M. B. Merchant & others

3
3

In the Circuit Court for Queen Anne County
in Equity

The answers of W^m B. Hoxter and Susan E. Hoxter his wife to the Bill of Complaint of Annie E. Norman against them & others in the Circuit Court for Queen Anne's County in Equity exhibited. This answer admits the facts as set forth in said Bill of Complaint and these Respondents agree that such decree may be passed by the Court as it shall deem proper and just in the premises.

D. B. Brown Solicitor for
W. E. Hoxter and Susan E. Hoxter.

Whereupon further process of and upon the premises aforesaid is further continued by regular continuances from term to term until the fourth Monday of July in the Year Eighteen Hundred and sixty. at which said fourth Monday of July in the said year comes into Court here the said Ann E. Norman by her Solicitor aforesaid and thereupon Commission is ordered to be issued to William A. G. Hobbs Esquire to assign a Guardian to take the answers of the infants Mary E. Merchant and Sarah E. Merchant and thereupon Commission is issued in the manner and form following to wit:-

Queen Anne's County &c: The State of Maryland to William A. G. Hobbs Esquire of Queen Anne's County Shalting: Whereas Ann E. Norman has lately exhibited her Bill of Complaint in the Circuit Court for Queen Anne's County against Mary B. Merchant, Mary E. Merchant, Sarah E. Merchant, Samuel C. Merchant, Rebecca A. Earle, W^m R. Earle Susan E. Hoxter Henry Hoxter and Francis A. Merchant Defendants: and

Whereas by subpoenas issued from this Court the said Defendants have been lately commanded to appear therein, at a certain day, to answer the said Bill, but inasmuch as the said Mary E. Merchant and Sarah E. Merchant are Infants under age and cannot answer the said Bill, nor defend this suit without having a guardian assigned in that behalf. But it therefore knows that full power and authority are given unto, in pursuance of the special order of the said Court, to assign and appoint a Guardian for the aforesaid Infants and to take the answers of the said Infants by such Guardian to the said Bill, and therefore You are commanded that at such certain day and place as you shall think fit, you go to the said defendants, if they cannot conveniently come to you, and assign and appoint a guardian for the aforesaid Infants and take the answers of the said Infants by such Guardian to said Bill and such Guardians Corporal oath upon the Holy Evangelists of Almighty God, to be by you administered, the said answers being distinctly and plainly wrote: And when you shall have so taken the said answers you are to send the same, closed up under your Seal, together with your Certificate of your having assigned and appointed such guardian as aforesaid and this writ into the said Circuit Court. Witness the Honorable Richard B. Carmichael Judge of the said Court the thirty first day of July 1860.

Done the 28th day of August 1860. Madison Brown clk.

Whereupon further process of and upon the premises aforesaid is further continued until the first Monday of November next, at which said first Monday of November in the Year Eighteen Hundred and sixty, comes into Court here Ann E. Norman by her Solicitor aforesaid and the said William R. Earle and Rebecca A. Earle file their Answers to the Bill of Complaint, in the following words to wit:

The joint and several answers of W^m R. Earle and Rebecca A. Earle to the Bill of Complaint of Ann E. Norman against them and others exhibited, in Queen Anne County Circuit Court sitting in Equity: These Defendants answering say that they have heretofore sold all their interest in the property mentioned in

the Bill to Frances A. Merchant one of the Defendants thereto and pray to be hence dismissed with their reasonable costs to
 Cert

H. H. H. Goodhand

Wm. R. Earle

Rebecca ^{his} Earle
 mark,

And thereupon the Commissioner named in the aforesaid Commission makes Return of said Commission in the manner and words following: to wit:

To the Hon. Richard B. Barnichall Judge of the Circuit Court for Queen Anne's County. The undersigned respectfully returns that by virtue of the authority vested in him by the accompanying commission, he visited the infants named in the said commission on the 10th day of September 1860, and did then and there assign and appoint Samuel C. Merchant guardian to the said infants, and take the oaths of said Infants, by their guardian, on his corporal oath by the undersigned administered on the Holy Evangelists of Almighty God, which oaths are hereunto returned, with the commission to me directed. Witness my hand & Seal, the day and year before mentioned.

W. A. G. Hobbs



Commissioner

The answers of Mary E. Merchant and Sarah E. Merchants (infants) by Samuel C. Merchant their guardian, specially appointed for the purpose, to the Bill of Complaint of Ann. E. Norman exhibited against them and others, in the Circuit Court for Queen Anne County. The said Mary E. Merchant and Sarah E. Merchant, by their guardian say for answer to said Bill of Complaint - that they cannot admit or deny the matters and things set forth, and pray the said Court will protect their interest - and that they may be hence dismissed their costs.

S. C. Merchant Guardian.

On this 10th Sept: 1860. Personally appeared Samuel C. Merchant, the within named guardian and made oath on the Holy Evangelists of Almighty God that the matters and things stated in the foregoing answers, are true, to the best of his Knowledge and belief.

Sworn Before

Wm. A. G. Hobbs



Commissioner

And thereupon the following answer is filed to wit:

The joint and several answers of Saml. C. Merchant, Mary B. Merchant his wife Wm. R. Earle and Rebecca A. Earle his wife Henry Hoxter and Susan. E. Hoxter his wife to the Bill of Complaint of Annie E. Norman against them and others exhibited in the Circuit Court for Queen Anne County sitting as a Court of Equity. These Defendants severally admit the facts set forth in said Bill of Complaint and agree that such a decree may be passed by the Court as shall seem just and proper. The said Samuel C. Merchant and Mary B. Merchant agree that if a decree for a sale be made that the lands shall be sold free of any dower of the said Mary B. Merchant as widow of Geo. W. Merchant, the court awarding her such proportion of the purchase money if any to which her dower interest may entitle her according to the chancery scale.

Witness to Saml. C. Merchant &

Mary B. Merchant

Jacob. T. Legg

S. C. Merchant
 his

Mary B. X Merchant
 mark.

Whereupon further process of and upon the premises aforesaid is further continued by regular continuances until the first Monday of May in the year Eighteen Hundred and sixty three. At which said first Monday of May in the year aforesaid, comes into Court here the said Ann E. Norman by her Solicitor aforesaid and the said Mary B. Merchant Mary E. Merchant Sarah E. Merchant Samuel C. Merchant Rebecca A. Earle W^m R. Earle Susan E. Hoxter Henry Hoxter and Frances A. Merchant, by their Solicitor aforesaid and file the following Agreement to wit:

Ann E. Norman vs Mary B. Merchant & others

No 7. Chancery Docket

Mary B. Merchant & others

Issued to B. N. Wright

May 8th 1863.

It is agreed that a Commission to take testimony, be

P. B. Hopper Sol for Complainant
J. B. Brown Solicitor for Defendants.

Whereupon a Commission was issued in the form following to wit:

Queen Anne's County, to wit: The State of Maryland to Benjamin N. Wright
" " of Queen Anne's County. Greeting: Be it Known that You are
" Seals appointed Commissioners to examine evidences in a cause depen-
" place ding in the Circuit Court for Queen Anne's County, between Ann E.
" Norman, Complainant and Mary B. Merchant, Mary E. Mer-
" chant, Sarah E. Merchant, Samuel C. Merchant, Rebecca A.
Earle, William R. Earle, Susan E. Hoxter, Henry Hoxter and Frances A. Merchant
Respondents. You are therefore hereby required having first taken the oath hereto
annexed, and also administered the annexed oath to the person whom you shall
appoint as Clerk to attend the execution of this Commission, that at such time
and place as to you shall seem convenient you cause to come before you all
such evidences as shall be named and produced to You by either the Complain-
ant or Respondents, and that you examine them on their corporal oaths, to be
by you administered upon the Holy Evangelist of Almighty God, touching their
Knowledge or remembrance of anything that may relate to the cause aforesaid;
and that you cause Notice to be given to the parties or their Solicitors, of the
execution of this Commission, before you execute the same, and having reduced
the depositions of the Witnesses as taken by you, into writing, you send the same,
with this Commission, close under your hand and seal, to the said Circuit Court
with all convenient speed. Witness the Honorable Richard B. Carrichael, Judge
of the said Court, the fourth day of May in the year eight hundred and sixty
three.

Issued the 9th day of June 1863.

James Wooters Clerk.

P. B. Hopper Esquire Solicitor for Complainant

J. B. Brown Esquire Solicitor for Defendants.

Commissioners Oath.

You Benjamin N. Wright, shall, according to your skill and knowledge, truly, faith-
fully, and without partiality, to any or either of the parties in this cause, take the
examinations and depositions of all and every the witnesses produced and examined
by virtue of the Commission hereto annexed, upon the interrogatories now, or which
may hereafter, before the said Commission is closed, be produced to and left with you,
by either of the said parties. So help you God

Sworn before

Jno. H. Ranterson,

Clerk Oath.

You Robert Goldsborough shall truly, faithfully, and without partiality to any
or either of the parties in this cause, take, write down and transcribe the depositions

of all and every the witnesses produced before and examined by the Commissioner named in the Commission here to annexed, as far forth as you are directed and employed by the said Commissioners to take, write down and transcribe the said depositions or any of them, So help you God.

Sworn before

B. N. Wright

Commissioner

And the said Benjamin N. Wright made return to the Court here of the execution of the said Commission as follows to wit:

Annie E. Norman	}	Bill of Complaint in Queen Anne County Civ. Court sitting
as		as a Court of Equity.
Mary B. Merchant & others		

Interrogatories to be propounded to witnesses to be produced on the part of the Complainant.

- 1st Are you not acquainted with the parties to this suit, or either and which of them? If Yes. How long have you known them + each of them?
- 2nd Are you acquainted with the handwriting of J. W. Merchant. If Yes. Look at the paper marked Exhibit A it being the joint single bill of John W. Merchant and John Merchant and say whether or not the signature "John W. Merchant" thereunto attached is in the hand writing of the said John W. Merchant? State any circumstances within your knowledge which may lead to the opinion that said single bill was executed by the said John W. Merchant + John Merchant?
- 3rd Are the said John W. Merchant and the said John Merchant dead, if Yes when and where did they die?
- 4th If dead, answer if they left Widows and children, if yes, state their names, sexes and ages as well as you can?
- 5th Did the said John W. Merchant and John Merchant die, seized of any real estate. if yes, state what it was and what its value.

P. B. Hopper Solr for Complainants.

6th Look at the assignment made by Sarah W. Legg and say whether that signature is in his hand writing.

To the Honorable Richard B. Barnichael Judge of the Circuit Court for Queen Annes County, At the execution of the annexed Commission issued out of the Circuit Court for Queen Annes County, and to me directed, and empowering me to examine evidences in the cause depending in the said Court, between Annie E. Norman complainant and Mary B. Merchant, Mary E. Merchant, Sarah J. Merchant, Samuel G. Merchant, Rebecca A. Earle William R. Earle, Susan E. Baster, Henry Baster and Frances A. Merchant Respondents. I Benjamin N. Wright, Commissioner therein named, having taken the oath annexed to said Commission, and having appointed Robert Goldsborough Jr, my clerk, and administering to him the oath annexed to said Commission to be taken by him, did at Kentville in Queen Annes County aforesaid, on the fifteenth day of June in the year Eighteen Hundred and sixty three, proceed to take the following depositions, the usual notice being waived by the Solicitors of the parties aforesaid.

Wm Harris Legg, a witness of lawful age, produced on the part of the Complainant, being duly sworn & examined to interrogatories filed with Commission by the Complainant and herewith returned, deposes & says.

I am acquainted with all and have known them for fifteen years.

To 2nd Interrogatory. He answers & says I am acquainted with the hand writing, and have looked at the signature on "Exhibit A" and it is to the best of my knowl.

eds the handwriting of John W. Merchant and when I purchased the Blacksmiths tools from Mr. Jno Merchant there was some conversation between me and the said Jno Merchant in which he admitted the execution of the said Note filed in this cause as well as another note, both of which had been assigned to Aquilla Merchants I was then told by the said John Merchant, I afterwards made arrangements to get hold of one note which I passed over to the said Merchant in payment of the articles I had purchased of him, he Merchant then said he wished he had articles enough to sell to me to take up the other note, the one now filed in this cause, but no arrangement was made and this deponent did not undertake the said Note.

To 3rd Interrogatory He answers and says, they are both dead, and died on Hunt Island about seven years ago.

To 4th Interrogatory He answers + says John W. Merchant left a widow + children whose names + ages he does not know, the widow afterward married Saml C. Merchant, John Merchant left children as follows, Saml C. Merchant, Rebecca, Earle wife of W. R. Earle, Susan Huxter wife of Henry Huxter and Frances A. Merchant, and two grand children, children of Jno W. Merchant.

To the 5th Interrogatory; He answers + says I know of a lot containing from three to five acres, which they purchase jointly and owned jointly at their death and I think it is worth five or six hundred dollars, it is situated in Stevensville, Hunt Island.

To 6th Interrogatory. He answers and says, I have looked at it and its is the handwriting Jacob H. Legg.

William H. Legg

There being no other witness to be examined, and neither party desiring further time for the production of his evidence, The Commissioner dores the said Commission, and hereunto returns the same under his hand and Seal this 16th day of June, Eighteen Hundred and sixty three.

R. B. Waight
Commissioner

Costs of executing annexed Commission	
Commissioners fee. (1 day) + oath	\$4.10
depts " " " " " " " "	2.50
W ^m H. Legg witness,	.75

	\$7.35

and thereupon the Court pass the following Decree.

Ann. C. Norman vs Mary B. Merchant & others
In the Circuit Court for Queen Anne County sitting as a Court of Equity

This cause standing ready for hearing and being submitted without argument, the proceedings were read and considered. It is thereupon this 22nd day of June in the year Eighteen Hundred and sixty three, by R. B. Carmichael Judge and by the authority of this Court adjudged, ordered and decreed that the Real Estate of John Merchant and of John W. Merchant deceased in the proceedings mentioned or so much thereof as may be necessary for the payment of his debts be sold, That P. B. Hopper of Queen Anne County be and he is hereby appointed Trustee to make such sale, that the course and manner of his proceedings shall be as follows. He shall first file in the depts office of Queen Anne County a bond to the State of Maryland executed by himself with a surety or sureties to be approved by this Court or the Clerk thereof in the penalty of one 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. Hee shall then proceed to make sale of the said real estate free and clear of the dower of Mary B. Merchant widow of John W. Merchant she having consented to the same, having first given at least three weeks previous notice inserted in some newspaper printed in Queen Anne 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; 10 percent of the purchase money to be paid in equal instalments in six and twelve months from the day of sale, the said residue to bear interest from the day of sale and the payment thereof to be secured by the bond of the purchaser or purchasers with a surety or sureties to be approved by the Trustee, 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 this 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 said property and to his her or their heirs or assigns 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 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 suit and such commission to the said Trustee as this Court shall think proper to allow on consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust,

And at the same time of advertising said Sale The Trustee is directed to give notice to the creditors of the said John Merchant and John W. Merchant deceased, to file their claims, with the vouchers thereof in the Clerk's office of Queen Anne County within six months from the day of sale,

Richd Bth Carmichael

Whereupon further process of and upon the premises aforesaid is further continued by regular continuances until the first Monday of May next, at which said first Monday of May in the year Eighteen Hundred and sixty three, comes into Court here the said Ann E. Norman by her Solicitor aforesaid: and on the ninth day of September in the year last aforesaid Philemon B. Hopper The Trustee named in the aforesaid Decree files in Court here the following

one Bond with the endorsements thereon to wit:
 "H. S." "H. S."
 "Stamps" "Stamps"
 "Places" "Places"
 "D. R." "D. R."
 "35¢" "35¢"

Know all men by these presents that we Philemon B. Hopper, W. C. Hopper & John B. Hopper all of Queen Anne County in the State of Maryland are held and firmly bound unto the said State in the

full and just sum of one Thousand Dollars, to be paid to the said State or to its certain attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors and administrators jointly and severally firmly by these presents, Sealed with our seals and dated this eighth September Eighteen Hundred and sixty three Whereas by a decree of the Circuit Court for Queen Anne County sitting as a Court of Equity bearing date the twenty second day of June in the year eighteen Hundred and sixty three and passed in a cause in the said Court wherein

Ann E. Norman was plaintiff and Mary B. Merchant & others were defendants, the above bound P. B. Hopper has been appointed Trustee to make sale of certain real estate in the proceedings in said cause mentioned. Now the condition of the above obligation is such that if the above bound P. B. Hopper do and shall well and truly perform the trust reposed in him by said decree or that may be reposed in him by any future order or decree in the premises; then the above obligation to be void, otherwise to remain in full force and virtue in law

Signed Sealed and delivered

in the presence of

D. S. Starbuck

P. B. Hopper

W. J. Hopper

John B. Hopper

And thereupon further process of and upon the premises aforesaid is further continued by regular continuances until the fourth Monday of January next in the year eighteen hundred and sixty four comes into Court here the said Ann E. Norman by her Solicitor aforesaid, and afterwards to wit: On the nineteenth day of March in the year aforesaid Philemon B. Hopper Esquire the trustee returns to the Court here the Report of Sales in the following word to wit:

Ann E. Norman

as

Mary B. Merchant & others

In Circuit Court for Queen A. Co sitting
as a Court of Equity.

To the Hon James B. Ricard. Judge. The report of P. B. Hopper Trustee appointed appointed by the decree in this cause to make sale of certain real estate therein mentioned. shows that after giving bond with security for the faithful discharge of his trust as required by said decree: and after giving notice of the time, place, manner and terms of sale by advertisement, in the Maryland Citizen a paper published in Centerville Queen Anne County for more than three successive weeks before the day of sale, and by hand bills circulated through the County, he did pursuant to said notice attend at the premises at Stevensville on Kent Island on the tenth day of September in the year eighteen Hundred and sixty three, between the hours of 12 M and 4. P. M. and then and there proceeded to sell all that lot of ground with the improvements thereon situate in said village of Stevensville containing about four acres of land and of which John W. Merchant and John Merchant did jointly seized and possessed. at which said sale John C. Blake became the purchaser, he being then and there the highest bidder for the same, for and at the sum of Eight Hundred and five Dollars, and he having paid ten per cent thereof in cash on the day of sale the trustee took his bond for the payment of the residue at the terms named by said decree, with William Clark and James W. Jeffers as his security, and your Trustee further reports that at the time of advertising said sale, he gave notice to the creditors of John Merchant and of Mrs W. Merchant deceased to file their claims with the vouchers thereof in the Clerk's office of Queen Anne County within four months from the day of sale, which is respectfully submitted.

P. B. Hopper Trustee.

State of Maryland Queen Anne County to wit: On this 19th day of March in the year Eighteen Hundred and sixty four before the Subscriber a justice of the peace in and for said County, personally appeared the within named P. B. Hopper Trustee and made oath that the matters and things stated in the foregoing report are true to the best of his knowledge and belief and that

the sale was fairly made.

Robt C Baynard J. P.

Thereupon the Court passed the following order to wit: In the Circuit Court for Queen Anne's County, sitting as a Court of Equity. March 19. 1864. Ordered that the sale made and reported by P. B. Hopper Trustee for the sale of the real estate of John Merchant and Mrs W. Merchant, both deceased be ratified and confirmed, unless cause to the contrary thereof be shown on or before the tenth day of May next; provided a copy of this order be inserted in some newspaper printed at Centerville once in each of three successive weeks before the tenth day of May next. The report states the amount of sales to be \$805.00

Samuel E. Dyott, Clerk.

And thereupon further process of and upon the premises aforesaid is further continued until the first Monday of May in the year eighteen hundred and sixty four, at which said first Monday of May in the year last aforesaid comes into Court here the said Ann E. Norman by P. B. Hopper her Solicitor aforesaid and thereupon the Court pass the following order of ratification to wit:

In the Circuit Court for Queen Anne County, ordered that the foregoing sale be finally ratified and confirmed; no cause to the contrary thereof having been shown although notice seems to have been given as required by the preceding order. The Trustee is allowed the usual commissions and his expenses not personal

May 10th 1864

J. B. Ricard

And thereupon further process of and upon the premises aforesaid was by regular continuances continued from term to term of the said Court until the fourth Monday of January in in the year Eighteen hundred and sixty five at which said fourth Monday of January in the year aforesaid comes into Court here the said Ann E. Norman by her Solicitor aforesaid. And Philemon B. Hopper Esquire the Auditor of the said Court files in Court here the following Statements, Accounts and Report to wit:

Statement of claims against John W. Merchant for dividends out of proceeds of real estate.

John A. Parker

Claim No 1

Deduct dividend from personal estate
 Out from 20th August 57 to 10 Sept 63

4	39		
	99		
3	40		
1	23	4	63

John R. Willis

No 2

Deduct dividend &c
 Out as before

3	43 1/2		
	97		
2	46 1/2		
	88 1/2	3	35

James A. Bowen

No 3

Deduct dividend &c
 Out for same time

5	68 1/2		
	61		
2	07 1/2		
1	46 1/2	5	54

Samuel Sanders

No 4

Deduct dividend &c
 Out for same time

10	30		
	93		
2	37		
3	66	10	03

E. Fred Price

No 5 | 18 | 81

Deduct dividend &c			5 36	
Int for same time			13 45	
<hr/>			4 86	18 31
Dr Wm Kenny		No 6	59 52 1/2	
Deduct dividend &c			16 76	
Int for same time			42 56 1/2	
<hr/>			15 45 1/2	58 02
<hr/>				
Y. F. White		No 7	2 51	
Deduct dividend &c			71	
Int for same time			1 80	
<hr/>			6 5	2 45
<hr/>				
Simon Lowenthal		No 8	6 72	
Deduct dividend &c			1 91	
Int for same time			4 81	
<hr/>			1 74	6 55
<hr/>				108 88
Amount brought over				108 88
Y. F. White		Claim No 9	8 30	
Deduct dividend on personal estate			2 36	
Int from 20 Aug 57 to 10 Sept 1863			5 94	
<hr/>			2 15	8 09
<hr/>				
W. H. Legg		No 10	15 56	
Deduct dividend &c			4 43	
Int for same time			11 13	
<hr/>			4 04	15 17
<hr/>				
W. & H. Newnam		No 11	3 78	
Deduct dividend &c			1 07	
Int for same time			2 71	
<hr/>			98	3 69
<hr/>				
W. & H. Newnam		No 12	19 14	
Deduct dividend &c			5 45	
Int for same time			13 69	
<hr/>			4 96	18 65
<hr/>				
Joac Winchester		No 13	6 62	
Deduct dividend &c			1	
Int for same time			1 88	
<hr/>			4 74	6 46
<hr/>			1 72	
<hr/>				
Stevens & Tolson		No 14	6 73	
Deduct dividend &c			1 91	
Int for same time			4 82	
<hr/>			1 75	6 57
<hr/>				
Stevens & Tolson		No 15	43 87	
Deduct dividend &c			12 50	
Int for same time			31 37	
<hr/>			11 39	43 76
<hr/>				
R. W. Erickson admr of R. Erickson		No 16	10 78	
Deduct dividend			3 07	
Int for same time			7 71	
<hr/>			2 79	10 50
<hr/>				221 77
Amount brought over				221 77
R. W. Erickson		Claim No 17	22 70	
Deduct dividend &c			6 46	
Int for same time			16 24	
<hr/>			5 89	32 13

The following claims be from personal estate and are therefore entitled to 28 1/2 per cent out of the real estate to place them upon the same footing with the other claims, and an equal dividend after with the other claims

Ann Norman assignee &c No 18 45 00
 Dnt from 8th Jan'y 53 to Sept 1863. 28 80
 Cr. by first dividend out of real assets at 28 1/2 per cent 70 80
 21 03
 52 77 52 77

W. W. R. Goodhand No 19 38 42
 Deduct credits 9 00
 Dnt from 1st Jan'y 55 to Sept 1863 29 42
 Costs 15 83
 44 75
 Cr. by 1st Dividend out of real estate at 28 1/2 per cent 44 75
 12 81 32 14

Perd Winchester No 20 27 68
 Dnt from 1st Jan'y 55 to 10 Sept 1863 14 42
 Costs 42 10
 20
 Cr. by 1st Dividend out of Real Estate at 28 1/2 per cent 42 30
 12 05 30 25

W. Goldborough No 21 3 60
 Dnt from 1st Jan'y 1856 to 10 Sept 1863 1 66
 Cr. by 1st dividend out of real estate at 28 1/2 per cent 5 26
 1 50
 4 76

Statement of claims against John Merchant deceased for their dividend out of proceeds of real estate 363 82

Henry Baxter Claim No 1 28 97
 Deduct dividend from personal estate 1 23
 Dnt on bal from 27 Aug 57 to 10 Sept 1863 27 74
 10 04 37 78

W. W. Penney Claim No 2 23 49
 Deduct dividend from personal estate 1 05
 Interest on bal 27 Aug 57 to 10 Sept 1863 22 44
 8 12 30 56

Elfred Price Claim No 3 4 91
 Deduct divid from personal estate 20
 Dnt on bal 27 Aug 57 to 10 Sept 1863 4 71
 1 70 6 41

James A. Bowen Claim No 4 6 13
 Deduct dividend from personal estate 26
 Dnt on bal 27 Aug 57 to 10 Sept 1863 5 87
 2 12 7 99

W. R. Earle Claim No 5 216 00
 Deduct divid from personal estate 9 18
 Dnt on bal 27 Aug to 10 Sept 1863 206 82
 74 44 281 26

Ans W. Foster Claim No 6 88

Deduct div &c					
Dut on bal 27 Jan 57 to 10 Sept 1863			03		
			85		
			30	1	15
<hr/>					
G. W. Chambers		Claim No 7	6	18	
Deduct div: &c					
Dut on bal 27 Aug 57 to 10 Sept 1863			26		
			5		
			92	8	06
			2		
			14		
<hr/>					
W. & H. Newman		Claim No 8	19	02	
Deduct div: &c					
Dut on bal 27 Aug 57 to Sept 1863			85		
			18		
			17		
			6		
			58	24	75
				397	96
Amount brought over				397	96
<hr/>					
R. W. Erickson		Claim No 9	13	82	
Deduct div: from personal estate					
Dut on bal 27 Aug 57 to 10 Sept 1863			580		
			15		
			24		
			4		
			78	17	02
<hr/>					
J. Winchester vs J. Goodhand		Claim No 10	17	70	
Deduct div: &c					
Dut on bal 27 Aug 57 to 10 Sept 1863			75		
			16		
			95		
			6		
			14	23	09
<hr/>					
W. W. H. Goodhand		Claim No 11	27	82	
Dut from 1 July 54 to June 23 1855					
Cr by 2 cradles			1		
Dut on bal to Oct 7 th 1855			63		
Cr by cash			29		
Dut on bal to 27 Aug 59			10		
Cr by dividend from personal estate			19		
Dut on bal to 10 Sept 1863			45		
			34		
			19		
			79		
			10		
			00		
			9		
			79		
			1		
			10		
			89		
			1		
			23		
			9		
			66		
			3		
			49	13	15
<hr/>					
Stevens & Tolson		Claim No 12	18	47	
Deduct dividend from personal estate					
Dut 27 Aug 57 to 10 Sept 1863			78		
			17		
			69		
			6		
			20	24	09
<hr/>					
P. Winchester		Claim No 13	14	19	
Deduct div: &c					
Dut 27 Aug 57 to 10 th Sept 1863			59		
			13		
			60		
			4		
			92	18	52
<hr/>					
James Hopkins		Claim No 14	1	64	
Deduct div: &c					
Dut 27 Aug 57 to 10 th Sept 1863			06		
			1		
			8		
			6		
			14	2	14
<hr/>					
W. H. Legg		Claim No 15		20	
Deduct dividend &c					
Dut 27 Aug 57 to 10 th Sept 1863			30		
			6		
			90		
			1		
			66	8	56
				504	53
Amount brought over				504	53
<hr/>					
The two following claims not embraced in dividend on personal estate, and are allowed a first ^{instalment} of 4 1/2 per cent to put them on a footing with the others, and then to allow an additional dividend equal to the others					
<hr/>					
Wm Goldborough		Claim No 16	1	25	

1863
Sept 10

By John Merchants portion of the nett proceeds of the real estate of John & John W. Merchant as per Account "A" filed with Auditors Report

312	07 1/2
312	07 1/2

Ann E. Norman
vs
Mary B. Merchant + others

In the Civ Court for D. C. Co

Explanation

In the following account the trustee has charged himself with the sum of \$312.07 1/2 being John W. Merchants portion of the nett proceeds of the joint real estate, as shown by account "A" returned with Auditors Report, he has allowed to Mary B. Merchant as widow of the said John W. Merchant the sum of \$47.59 in lieu of her dower, that being one seventh of the nett proceeds, and she being at the date of the sale of real estate thirty six years of age and of good health, as appears by the affidavits filed, To Ann E. Norman, W. W. K. Goodhand, Pers Winchester and Wm Goldsbrough the auditor allowed on their respective claims a first dividend of 28 1/2 cents in the dollar to put them on an equality with the other claims allowed, who had received that amount from the personal estate, they not having received anything from the personal estate. The residue of \$312.07 1/2 he distributed rateably among all the claims filed from 1 to 21 inclusive, giving to each at the rate of fifty nine and two thirds cents in the dollar,

P. B. Hopper Auditor

Dr. The Real Estate of John W. Merchant in account with P. B. Hopper Trustee for the Sale thereof.

1863				Dols	cts
Sept 10	To	Mary B. Merchant widow in lieu of her dower interest		47	59
	To	Ann E. Norman assignee for 1st dividend out of real estate		21	03
	To	W. W. K. Goodhand	"	12	81
	To	Pers Winchester	"	12	05
	To	Wm Goldsbrough	"		
				cumul 59	
				94	98
	To	John H. Pater for dividends on	Claim No 1	4	63
	To	John R. Willis	" No 2	3	35
	To	James A. Bowen	" No 3	5	54
	To	Samuel Sanders	" No 4	10	03
	To	Edfred Price	" No 5	18	31
	To	Dr. W. Denney	" No 6	58	02
	To	G. T. White	" No 7	2	45
	To	Simon Leventhall	" No 8	6	55
	To	G. T. White	" No 9	8	09
	To	W. B. Legg	" No 10	15	17
	To	W. & H. Newman	" No 11	3	69
	To	W. & H. Newman	" No 12	18	65
	To	Isaac Winchester	" No 13	6	46
	To	Stevens & Tolson	" No 14	6	57
	To	Stevens & Tolson	" No 15	43	76
	To	R. W. Earickson adms of R. Earickson	" No 16	10	50
	To	R. W. Earickson	" No 17	22	13

To Ann E. Norman assignee	" No 18	52	97	31	48
To W. W. K. Goodhand	" No 19	32	14	19	17
To Mrs Winchester	" No 20	3.0	25	18	05
To Wm Goldbrough	" No 21	4	96	2	84
Fractions					
		363	82	312	07 1/2

1863
Sept 10

By John W. Merchant's portion of net proceeds of the real estate of John & John W. Merchant as per Account "A" filed with Auditor Report	Dols	cts
	312	07 1/2
	312	07 1/2

Ann E. Norman vs Mary B. Merchant & others Invs Cir Court for D. C.

Mary B. Merchant & others

To the Hon J. M. Robinson Judge

The Auditor respectfully reports that he has examined the proceedings in this cause and has therefrom prepared three accounts marked "A", "B" & "C" in which he has distributed the proceeds of sale. The real estate belonged to John Merchant & Mrs W. Merchant as tenants in common, and was sold upon a bill filed against their Heirs jointly on their joint note. The Auditor has therefore first stated this account on this sheet in which he has charged himself with the whole proceeds of sale, and credited himself with Trustees commissions and expenses, Complainants and Defendants costs of suit each and Auditors fee. The balance \$624. 15 he divided into two equal parts, one to be distributed to the creditors of John Merchant which the Auditor has done in account "B" and the other to be distributed to the creditors of John W. Merchant which has also been done in acct: "C", each account is preceded by explanations which show the principles upon which each of their shares was distributed and to whom. All of which is submitted.

P. B. Hopper

Auditor

Q^y. The Real Estate of John Merchant & Mrs W. Merchant in acct with P. B. Hopper Trustee for the Sale thereof

1863 Sept 10 th	To The Trustee for his commissions			49	25
	To The Trustee for his expenses			35	55
	To The Complainants for their costs of suit viz Solicitor	20	00		
	M. Brown Clerk	11	75		
	J. Wooley "	4	20		
	S. E. Doytt "	2	00		
	Same for further probable costs E Sudler Sheriff	12	00		
	B. N. Wright Com ^r to take testimony	3	60		
	R. Goldbrough CLK to same	4	10		
	W. G. Legg witness	2	50		
	W. A. G. Hobbs com ^r to appoint Guardian &c		75		
	To The Defendants for their costs of Suit viz Solicitor	4	00	64	90
	M. Brown CLK	10	00		
		9	35		

	D. Howlers "	1	10		
	J. E. Doytt "			22	15
To	The Auditors for stating accts: &c.			9	00
To	The Creditors of Ino Merchant 1/2 of residue & to be distributed among them as per acct: B			312	07 1/2
To	The Creditors of John W. Merchant the other half of residue to be distributed among them as per acct: C			312	07 1/2
		ammun		805	00
				805	00
1763 Sept 10	By amount of proceed of sale estate as per Trustees Report filed			805	00
				805	00

Thereupon further process of and upon the premises aforesaid is further continued until the first Monday of May next, at which said first Monday of May in the year Eighteen Hundred and sixty five comes into court here the said Ann E. Howman by her Solicitor aforesaid, and thereupon the Court pass the following Order to wit:

In Queen Anne County Circuit Court sitting as a Court of Equity, Ordered this 13th day of May 1865 that the foregoing Auditors Report and account be ratified and confirmed ~~no~~ cause to the contrary having been shown and the Trustee is directed to pay over accordingly with a due proportion of interest received by him to the several claimants

and heretofore to wit: on the twenty first day of July in the year eighteen hundred and fifty nine the following Exhibits were filed to wit:

Queen Anne County Et: Dr: John R. Jeffers administrator of all and singular the goods, chattels & personal Estate of John Merchant late of Queen Anne County deceased.

To balance due on 1st Account of administration settled on the 8th day of Seph: 1857 \$29. 97^{cts}

From which deduct the cost of making statement and authenticating 15 claims & making dividend & copy &c \$7.00^{cts}

\$56.53 1/2 05

\$17.32

The foregoing balance divided among the creditors of the deceased will pay at the rate of 4 1/2 cts in the dollar to each

	Claim	Dividend
<u>Henny, Baxter</u>	Claim No 1	28 97 1 23
<u>Dr. W. Penny</u>	Claim No 2	23 49 1 05
<u>Edfred Price</u>	Claim No 3	4 91 20
<u>James A. Bowen</u>	Claim No 4	6 13 26
<u>W. H. Earle</u>	Claim No 5	216 00 9 18
<u>Ino W. Porter</u>	Claim No 6	88 03
<u>G. W. Chambers</u>	Claim No 7	6 18 26
<u>W. H. Newsum</u>	Claim No 8	19 02 85
<u>R. W. Carickson</u>	Claim No 9	13 82 58
<u>J. Winchester uses H. Goodhand</u>	Claim No 10	17 70 75
	Amount carried forward	337 10 14 28
	Amount brought forward	337 10 14 28
	Claim No 11	29 01 1 23

W. H. H. Goodhand

Stevens & Tolson
P. Winchester
James Hopkins
W. H. Legg

claim No 12	18 47/2	78
claim No 13	14 19	59
claim No 14	1 64	66
claim No 15	7 20	30
	<u>\$ 407 6/2</u>	<u>\$ 17 24</u>
		<u>\$ 17.32</u>

Add Fractions

E. E.

Samuel T. Harrison Regr. Wills

Queen Anne's County Orphans Court
 Nov: 17th 1857
 The foregoing dividend was duly examined by the Court & the same ordered to be received filed, & recorded, Copy per

Saml. T. Harrison Regr. Wills

In Testimony that the foregoing is a true copy from the original as accord in my office, I have hereunto set my name and affixed the Seal of my office this 22nd day of July Anno Domini one thousand eight hundred and fifty nine

R. Goldsborough Regr. Wills
 for Queen Anne's County.

Queen Anne's County Set. Dr. John R. Jeffers administrator of John H. Merchant late of Queen Anne's County deceased.

To balance due on 1st accounts of administration settled on the 8th day of Sept. 1857 \$ 78.89

To Amount of separate debts due the deceased from Oliver G. Elliott and not accounted for in administration account. 5.00
 \$ 83.89

From which deduct the cost of making statements of claims & authenticating 17 claims recording &c. 7.32

And the cost of making dividend among the creditors recording & same & copy 6.00
 13.32
 70.57

The foregoing balance divided among the creditors of the deceased will pay at the rate of 28 1/2 Cents in the dollar & give to each as follows viz:

	Claim	Dividend
To John H. Porter	claim No 1	4 39 99
John R. Willis	claim No 2	3 43 1/2 97
James A. Bowen	claim No 3	5 68 1/2 1 61
Samuel Sanders	claim No 4	10 30 2 93
Edfred Price	claim No 5	18 81 5 36
Dr. H. Tenney	claim No 6	59 53 1/2 16 96
U. S. White	claim No 7	2 51 71
Samson Leavenworth	claim No 8	6 92 1 91
U. S. White	claim No 9	8 30 2 36
W. H. Legg	claim No 10	15 56 4 23
Amount carried forward		<u>\$ 135 23 1/2 \$ 38 23 \$ 70.57</u>
Amount brought forward		<u>\$ 135 23 1/2 \$ 38 23 \$ 70.57</u>
W & H. Neumann	claim No 11	3 98 1 07
W & H. Neumann	claim No 12	19 14 5 45
Joacac Winchester	claim No 13	6 62 1 88
Stevens & Tolson	claim No 14	6 73 1 91
Stevens & Tolson	claim No 15	43 89 12 80
R. W. Erickson admr. of R. Erickson	claim No 16	10 78 3 07

R. W. Erickson

Claim No 17
add fractions

	22	70	61	46
		35		
\$	249	20	70	57

& &

Saml. S. Harrison Regr Wills.

Queen Ann's County Orphans Court
 Nov 17th Anno Domini 1857
 The foregoing dividend was duly examined by the Court and the same ordered to be received, filed, & recorded
 Cert per:

Regr Wills

In testimony that the foregoing is a true copy from the original & record in my office, I have hereunto set my name & affixed the seal of my office, this 22nd day of July one thousand eight hundred and fifty nine.

R. Goldborough Regr Wills
 for Queen Ann's County.

John S. Walters administrator
of Francis J. Walters

vs
James E. Walters Executor
of Samuel C. Walters

Be it remembered that on the eighth day
of July in the Year of Our Lord One thou-
sand eight hundred and fifty eight, John
S. Walters Administrator of Francis J. Walters
by John M. Robinson Esquire his Solicitor
filed in the Circuit Court for Queen Anne's
County sitting as a Court of Equity his Bill of Complaint against the
said James E. Walters Executor of Saml. C. Walters in the words following
to wit:-

The Bill of Complaint of John S. Walters administrator of Francis J. Walters late of Queen Anne's County respectfully sheweth, that the said Francis J. Walters sometime in the year Eighteen Hundred and forty four became possessed of a negro girl, Margaret Ann aged about ten years in pursuance of a division of the negroes belonging to the estate of her father Alexander Walters late of said County and made in pursuance of an order of the Orphans Court of said County, a copy of said division being herewith filed & marked Exhibit A & prayed to be taken as part of this bill: Your Orator further charges that the said Frances was married to one Samuel C. Walters sometime in the year eighteen hundred and fifty seven, who from and after the time of said marriage took possession of said negro Margaret Ann, Your Orator further charges that the said Frances, sometime in the year eighteen Hundred and forty seven became possessed also of a negro boy George Richard aged about seven years, by the division and distribution of the personal estate of her mother Sarah Walters late of said County, and being thus possessed of said negroes Margaret Ann and George Richard as aforesaid, her husband the said Samuel C. Walters sometime in the year eighteen Hundred and fifty three or near that time, without the knowledge or consent of the said Frances and against her will and desire, sold and delivered said negroes to one James W. Price or to some other person by whom the said negroes were carried beyond the limits of the State of Maryland to, the great damage and injury of the said Frances and in violation of her legal rights, Your Orator further charges that the said Samuel C. Walters departed this life some time in the year Eighteen Hundred and fifty three, leaving the said Frances surviving, but without any children by the said Frances living at the time of his death, & that letters of administration were granted on his personal Estate by the Orphans Court of County aforesaid, to one James E. Walters, Your Orator insists that upon the death of the said Samuel C. Walters the said negroes Margaret Ann and George Richard belonged to the said Frances as her sole property & free from the control of any & every person not that by the sale of said negroes as aforesaid by the said Samuel C. Walters, she was altogether deprived of the same, That immediately after the death of the said Samuel, the said Frances commenced a suit in the Circuit Court for Queen Anne's County against the said James E. Walters administrator of the said Samuel, to recover the value of said negroes & damages for their sale and detention; that the said suit remained on the docket of said Court until the year eighteen hundred and fifty six when the said Frances died intestate, unmarried without issue; that letters of administration on her personal estate were granted by the Orphans Court of said County unto Your Orator, and he was duly made party to said suit at the next Term of said Circuit Court after granting of said letters, that the said suit was continued until the last May

Term of said Circuit Court where Your Orator was advised to discontinue said suit and file this bill on the Equity side of the Court; To the end therefore that the said James E. Walters executor of the said Samuel E. Walters may answer the several matters & things herein before stated as fully and particularly as if they were again repeated, & he was thereunto specially interrogated, & that a decree may be passed authorizing and compelling the said James E. Walters Executor as aforesaid to pay unto your Orator such sum of money as may seem right & proper on account of the sale of said negroes as aforesaid, & that your Orator may have such further & other relief as his case may require, May it please your honor to grant unto your orator the writ of subpoena against the said James E. Walters executor of Samuel E. Walters of Queen Anne's County commanding him to appear in this Court at some certain day to be therein named to answer the premises & abide by & perform such decree as may be passed therein & as in duty &c

Ino Me Robinson
Sol. for Compt:

The Exhibit "A" mentioned and referred to in the aforesaid Bill of Complaint is in the following words to wit:

We the subscribers appointed by the Orphans Court of Queen Anne's County to value and divide the negro property of the late Alexander Walters dec'd among his legal representatives, and in pursuance of said order, we do value & divide said negro property in the following manner.

Negro Man Pere aged 33 years valued	300.00
Do " Kit " 28 " "	325.00
" Woman Marietta " 29 " "	175.00
" " Lourika " 26 " "	200.00
" Girl Bennetta " 12 " "	150.00
" Girl Margaret Ann " " "	125.00
Boy Jim 7 yrs \$125. & George R ^d 3 years \$75	200.00
Boy John Harley 3 yrs \$75 & Girl Henry 5 yrs \$75	150.00
Infant \$25 & Infant Pere \$50	75.00
Aggregate Valuation	1700.00

Divided as follows:-

To allot to the widow, as her dower Pere & Bennetta valued at \$450 to receive from Loring & John \$166.66 2/3	566.66 2/3
To William A. Loring & wife, Marietta, Ino: Harley & Infant Pere valued at \$300 to pay the widow \$73.33 1/3 which leaves Loring	226.66 2/3
To Jacob Walters, Lourina & Infant Henry valued at \$225, to receive from Frances \$1.66 2/3	226.66 2/3
To Frances Walters Jim & Margaret Ann valued at \$250, to pay Robt. \$21.66 2/3 and Jacob \$1.66 2/3 to still leaving Frances	226.66 2/3
To John S. Walters, Litt. valued at \$325, to pay the widow \$43.33 1/3 & Robert \$55 still leaving John	226.66 2/3
To Robert Walters, George Rich ^d & Mary valued at \$150 to receive from John \$55 & from Frances \$21.66 2/3 making Roberts part	226.66 2/3
	\$1700.00

April 25th 1844

To the Orphans Court of Queen Anne's County

Chas Stevens, Chas E. Skinner

Queen Anne's County Orphans Court The foregoing division was duly examined & May 28th Anno Domini 1844 approved by the Court & the same ordered to be

received, filed & recorded.

Cert per Leml Roberts Reg. Wills for
Queen Anne's County.

In testimony that the foregoing is a true copy from the original as record
in my office. I have hereunto set my name & affixed
Seals place the Seal of my Office this 27th day of July Anno Domini
1859

R. Goldsborough Reg Wills
for Queen Anne's County.

Whereupon Summons was issued for the said James E. Walters Executor of Sam-
uel C. Walters according to the prayer of the Complainant, and the said James
E. Walters Executor of Samuel C. Walters being returned, Summoned appears in
Court here by P. B. Hopper Esquire his Attorney.

Whereupon further process of and upon the premises aforesaid is further con-
tinued by regular continuances from term to term of the said Court until
the fourth Monday of July in the year eighteen hundred and fifty nine
at which said fourth Monday of July in the year last aforesaid comes into
Court here the said John S. Walters administrator of Frances J. Walters by his
Attorney aforesaid and the Court here orders and direct that a Commission to take
testimony be issued to George P. Keating Esquire.

Whereupon Commission is accordingly issued in the form following to wit:

Queen Anne's County Set: The State of Maryland to George P. Keating Esquire.
Gentleman Greeting: Be it known that you are hereby appoin-
ted a Commissioner to examine evidences and take depositions
in a cause depending in the Circuit Court for Queen Anne's
County as a Court of Chancery, between John S. Walters
administrator of Frances J. Walters Complainants and James
E. Walters Executor of Samuel C. Walters Defendant: You are therefore authori-
zed and empowered, having first taken the Oath hereunto annexed and also
administered the annexed Oath to the person whom you shall appoint as
Clerk to attend the execution of this Commission: that at such time and
place as to you shall seem convenient You cause to come before you all
such witnesses as shall be named or produced to you, by either the Com-
plainants and Defendants, and that you examine them upon their corpo-
ral oaths to be by you administered on the Holy Evangelij of Almighty
God, touching their Knowledge or remembrance of any thing that may
relate to the Cause aforesaid; and that you cause notice to be given to
the parties or their Solicitors of the execution of this Commission, before
you proceed to execute the same; and having reduced the depositions of
the witnesses so taken by you, into writing, you return the same, with
this Commission closed under your hand and seal, to the said Circuit
Court with all convenient speed - Witness the Honorable Richard B.
Carmichael Esquire Judge of the several Circuit Courts in the seventh
Judicial Circuit of Maryland, the second day of May eighteen hundred
and fifty nine.

Dated the 15th day of July 1859

Madison Brown Clerk.

R. Solr for Compl't
P. B. H. Solr for Defdt.

Commissioner's Oath

You George P. Keating, shall according to the best of your skill and Knowledge,
truly, faithfully and without partiality to any or either of the parties to this

Cause, take the examinations and depositions of all and every witnesses and witnesses produced before and examined by you, in virtue of the commission, herunto annexed, upon the interrogatories now, or which may hereafter, before the said Commission is closed, be produced to and left with you, by either of the said parties: So help Now God

Sworn Before
Charles Cook

Robt E. Baynard J. P.

Now John H. Rowlinson shall, truly, faithfully and without partiality to any or either of the parties in this cause, take, write down and transcribe the depositions of all and every the witness and witnesses, produced before and examined by the Commissioner named in the Commission herunto annexed, so far forth as you are directed and employed by the said Commissioner, to take, write down and transcribe the said depositions or any of them. So help Now God

Sworn before Geo. F. Heating
Commissioner

The answer of James E. Walters admr of Samuel C. Walters to the bill of Complaint of John S. Walters admr of Frances J. Walters against him exhibited in the Circuit Court for Queen Anne County sitting as a Court of Equity,

This Defendant reserving to himself all manner of exceptions to the said bill of Complaint for its divers errors and imperfections, to so much of said bill as he is advised is material for him to answer, answering says This Defendant admits the marriage of the said Frances J. Walters to the said Samuel C. Walters as alleged in said bill of Complaint, but thinks it occurred in the year Eighteen hundred and forty six instead of the year eighteen hundred and forty seven as stated in said bill of Complaint. This Defendant knows the Negs Margaret Ann alleged to have been the property of the said Frances J. Walters, but has no personal knowledge of her right of property in her or in what manner she acquired title, but admits that after the intermarriage of the said parties as before stated, the said negs woman went into the possession of the said Samuel C. Walters and this Respondent thinks at the Christmas immediately succeeding said intermarriage. This Defendant further admits that he knows the negs George Richard also mentioned in said Bill of Complaint, and that he was also in the possession of the said Samuel C. Walters after his said intermarriage, but by what right this defendant has no personal knowledge, although he has understood and verily believes that the said Negs was purchased by the said Samuel C. Walters, and did not belong to the Frances J. Walters. This Defendant has no personal knowledge of the sale by the said Samuel C. Walters of the said negs to the said James W. Price and cannot therefore admit anything in reference thereto. This Defendant admits that the said Samuel C. Walters died as alleged on or about the year eighteen hundred and fifty three leaving the said Frances surviving and without leaving any children by the marriage with the said Frances. He also admits that letters of administration on the personal estate of the said Samuel C. Walters were granted by the Orphan's Court of Queen Anne County to this Defendant. This Defendant admits the death of the said Frances and that letters were granted on her estate to the said Complainant.

And this Defendant further answering says that this Defendant had paid away the estate of his said deceased upon claims proved and allowed before the filing of the bill in this case, and that the whole assets were insufficient for the payment of the debts of said deceased, and as in duty bound

J. B. Hopper Sol for Defdt

Thereupon further process of and upon the premises aforesaid is further continued by regular continuances from term to term of the said Court until the fourth Monday of January in the Year Eighteen Hundred and sixty two, at which said fourth Monday of January in the Year last aforesaid comes into Court here as well the said John S. Walters Administrator of Frances J. Walters by John W. Robinson Esquire his Attorney as the said James E. Walters executor of Samuel C. Walters by Philemon B. Hooper Esquire his Attorney,

And on the eleventh day of February in the Year eighteen hundred and sixty two, The said George W. Keating made Return to the Court here of the execution of the said Commission in manner following to wit:

John S. Walters admr of Frances J. Walters vs J. E. Walters Exor Saml C. Walters In the Circuit Court of Queen Anns County. In Equity

Interrogatories propounded to Frances A. Betton as witness on the part of the Complainant & also to Marcy Fountain & other witnesses on part of Compt.

1st Were you acquainted with the late Samuel C. Walters and Frances J. Walters of Queen Anns County?

2nd Do you know anything of the sale of negroes Margaret Ann & George Richard of the late Samuel C. Walters. If you state all you know about it?

3rd State what in your opinion was the value of negro Margaret Ann & George Richard at the time of said sale and what would be their present value if living, or what was the value of the negro girl living at James W. Prices, whom you saw, & the value, & the value of the boy as described to witness by Samuel C. Walters

4th Did you or not know of negroes called George Richard & Margaret Ann, whom passed into the possession of Frances J. Walters. If you state how she came by them and all you know about it?

Ans. W. Robinson Sol for Compt.

Interrogatory propounded to John Palmer witness on the part of the complainant.

Are you or not a Deputy in the Clerks Office of the Circuit Court of Queen Anns County. If Yes state whether you have examined the records of said Office and whether there is a Bill of Sale or other instrument writing executed by Samuel C. Walters & Frances J. Walters, conveying negroes Margaret Ann & George Richard to James W. Prices or to any one else?

Ans W. Robinson Sol for Compt.

Interrogatories to be proposed to Mary Fountain on the part of the Defendant.

1 State what is your estimation the domestic value of said negroes was at the time of the alleged sale.

2nd State whether you can recollect that Capt Samuel C. Walters did at anytime give you any description of the negro Boy mentioned in your testimony

P. B. Hooper atty for Deft

Prop interrogatories to be propounded on the part of the defendant to W^m A. Lorry -

State if you know the condition of the health of both Capt + W^m Walters in the year 1849 + 1850, and State if you know when each of the said parties died.

P. B. Hopper for Defendant

Prop interrogatories to be propounded to David R. Longfellow -

1st State what was the size and age of the boy you speak of, and what was his name?

2nd Was Capt Walters a man in good health and what was his age if you know it?

P. B. Hopper

Cross Interrogatory propounded to William A. Lorry on part of Defendant.

1st Was it or not agreed upon between you and Capt Sam^l C. Walters that you were to take the negroes at the sums agreed upon, + that you were to let him have negro George Richard for the exact amount due to Frances & his wife.

Jas. M. Robinson

Sol for Compt

Questions to be propounded to W^m William A. Lorry on the part of Defendant.

1st Did you or not buy all the negroes belonging to the estate of M^{rs} Sarah C. Walters at a valuation agreed upon by her heirs and representatives.

2nd Was not George Richard one of said negroes, and did not Capt. Samuel C. Walters contract to take said negro from you at the value put upon him by said representatives, after your purchase aforesaid.

P. B. Hopper Solr.

for Defendant

3rd Interrogatory, Did you or not keep the other two negroes and do you do not still hold them.

To the Honorable R. B. Carmichael Esq:

Judge of the seventh Judicial Circuit of Maryland: At the execution of the annexed Commission issued out of the Circuit Court for Queen Anne's County, Maryland, and to one directed and empowering me to examine evidences in the cause depending in the said County, between John S. Walters Administrator of Frances J. Walters as Complainants and James C. Walters Executor of Samuel C. Walters as defendants. I George P. Keating, Commissioner therein named having met on the 27th day of July 1859 at the town of Centerville pursuant to previous notice thereof given to the Solicitors of the said parties, and taken the oath annexed to said Commission, and having appointed John H. Rowleson my clerk, and administering to him the oath annexed to the said Commission to be taken by him, did proceed then and there in the presence of John M. Robinson the Solicitor for the Complainant and of P. B. Hopper the Solicitor for the Defendant, to take the following depositions to wit:

Frances A. Betton, a witness of lawful age produced on the part of the Complainant, being duly sworn and examined to interrogatories, filed with the Commissioner by the Complainant and herewith returned deposes and says

To the 1st Interrogatory she answers and says, She was ever since she was a child, her age at this time about 34 years.

To the 2nd Interrogatory she answers and says: Sometime in the Summer of 1850 or 1851 witness went to Kent Island with Frances J. Walters wife

of Samuel E. Walters, did on a visit to Wm. O. Henry, and on their way they stopped at Jas W. Pices at Church Hill, where negr Margaret Ann claimed by Frances J. Walters, was hired, that she saw said Negr at that time, and that Mrs Walters left her some clothing, and promised to see her return from the Island, and that they remained on the Island three or four days, and on their return they called at said Pices and called for the said negr. Margaret Ann, but did not find her. They then went towards home and stopped at Peter Kirby (her brother) who lived within a few hundred yards of Capt Samuel E. Walters house, shortly afterwards Mrs Frances J. Walters went home, witness then went to a hill within a distance of about 100 yds of Capt Walters house and saw him and his wife, Frances J. Walters, in the porch, Mrs Walters was crying, and they seemed to be in dispute, but she could not hear all that passed between them - but she did hear Capt Saml E. Walters say that he did sell the negr, and that he did not care if he did, and if she did not hush he would thrash her. Witness did not hear any further conversation between them. but saw Capt Samuel E. Walters striking Mrs Walters with a whip or some thing like a whip - Witness became frightened and returned to her Brothers house, Witness had seen negr boy George Richard frequently at the house of Capt Samuel E. Walters after the marriage with Frances J. Walters, but never before, and that he was quite a pet with the said Frances J. Walters, Witness was never at the house of Capt Samuel E. Walters after the time spoken of.

The 3rd & 4th interrogations not proposed to Mrs Bottom.

Frances A. Bottom

Meay Fountain as witness of lawful age produced on the part of the Complainant being duly sworn, and examined to interrogations filed with the Commissioners by the Complainant and herewith returned, deposes and says,

To the first Interrogatory he answers and says, that he was acquainted with the late Capt Saml E. Walters, ten or fifteen years, He has seen Frances J. Walters but was not acquainted with her.

To the 2nd Interrogatory he answers and says, that he was not present at any sale, but he knows that Capt Samuel E. Walters offered to sell to him a ^{negr} girl about 16 years old (sometimes in the summer of 1849 & 1850. and also he offered to sell him a negr boy, but does not know the boys age, or the names of either of said negres, but for reasons not necessary to be mentioned witness did not make the purchase, that while the witness was negotiating for the purchase of said negres, witness came from Baltimore to Church Hill and on his arrival at Church Hill found Capt Saml E. Walters, and learned from him that he had sold on that day the negr girl and boy to Jas W. Pice, Witness cannot say that J. W. Pice had started away with the negres, Witness was informed that Mrs Walters was the owner of the said negres, and was on Kent Island at that time and that her absence from home at that time was the fit opportunity to effect the sale, and was the reason why the opportunity was denied the witness of purchasing said negres, but witness cannot say that the information was imparted to him by Capt S. E. Walters or others, witness had never heard before that time that said negres belonged to Mrs Frances J. Walters.

To the 3rd Interrogatory witness answers and says, The negr girl at J. W. Pices whom the witness saw was worth about \$600⁰⁰ and the negr boy (if he came up to the description given) was worth about \$500⁰⁰. That Capt S. E. Walters told him that sold the said negres for \$1,100⁰⁰. The said negr girl if living now would be worth \$700⁰⁰ or \$800⁰⁰. The boy if living at this time about \$1,200⁰⁰.

To the 4th Interrogatory not examined.

M. Fountain

To the 1st cross interrogatory filed on the part of the Complainant, he answers and says, The average difference between home and foreign prices at the time of sale and now would be about \$300.00 on each,

To the 2nd Interrogatory he answers and says: That Capt Walters was present when the description was given when the boy was talked of, but cannot say that the description was given by Capt Walters particularly or by some one else.

W. Fountain.

William O. Loring as witness of lawful age produced on the part of the Complainant, being duly sworn and examined as to interrogatories filed with the Commissioner by the Complainant and herewith returned, deposes and says,

To the 1st Interrogatory he answers and says: He was acquainted with Frances J. Walters from childhood - and with Saml. C. Walters from the time of their marriage in 1846 or 1847

To the 2nd Interrogatory he answers and says: that he does not know anything of the sale of the said negroes - but that the winter after the marriage of the said Samuel C. Walters to the said Frances J., visited their house and saw the said negroes Geo Richard and Margaret Ann in their possession. Recollects of the visit of the said Frances J. Walters and Frances Betton at his (the witness's house) and witness recollects that after the said visit he was at the house of the said Capt S. C. Walters for several days, witness did not see either of said negroes during said stay. Witness knows that negro Margaret Ann mentioned in the distribution of the personal estate of Alexander Walters was at Las N. Price on his way going to the upper part of the County.

To the 3rd Interrogatory, not examined.

To the 4th Interrogatory he answers and says: Witness married the sister of Frances J. Walters, that Negro Margaret Ann passed to the said Frances in the distribution of the personal estate of her father the late Alex. Walters, and that Negro George Richard belonged to Sarah Walters the Mother of the said Frances J., and went to the said Capt S. C. Walters in the division of her estate in pairs, and not by the Orphans Court, and that he got Marietta the Mother of Margaret Ann from the distribution of the personal estate of Alexander Walters & got Margaret Ann the daughter from said estate.

To the 1st Cross Interrogatory he answers and says: Mrs. Frances J. Walters was in bad health in 1849, and continued so until the time of her death in 1856, that she had no children living at the time of the death or after the death of Capt Saml. C. Walters, That Capt Saml. C. Walters was in good health up to 1849 or 1850; and that he died in the latter part of 1853

William O. Loring

John Palmer Senr a witness of lawful age, produced on the part of the Complainant being duly sworn and examined to interrogatories filed with the Commissioner by the Complainant and herewith returned deposes and says,

To the 1st Interrogatory he answers and says: That he is acquainted the records of Queen Anne's County, Circuit Court from 1841 to 1855 inclusive, and finds no Bill of Sale from Saml. C. Walters and wife to Las N. Price or any one else, so far as the alphabet shows

John Palmer

The Solicitor for the Complainant then offered and prayed to be received as evidence in this cause, to support the allegations in his Bill, a copy of the distribution of the personal estate of Sarah Walters deceased, and also a copy of the division of the Negroes of Alexander Walters deceased, which were accordingly re-

ceived and filed as evidence in the cause. At the request of the Solicitors for the parties the Commission was kept open until January seventh 1860. on which day the following Testimony was taken, previous notice thereof having been given to the parties,

David R. Longfellow a witness of lawful age produced on the part of the Complainant being duly sworn and examined as to interrogatories filed with the Commissioners by the Complainant and herewith returned deposes and says:

To the first interrogatory he answers and says: That he was from the year 1842 to the time of his death & was acquainted with Frances L. Walters from the time of her marriage up to the time of her death,

To the 2nd interrogatory he answers and says: That he lived within four or five hundred yards of Saml. C. Walters house and kept granary for John Golph. in the year 1851, some time in August or September of that year. Mrs. Walters returned home after being absent for several days and the same afternoon of her return, he went to Capt Saml. C. Walters house, found him sitting in the door and asked him the price of grain; Mrs. Walters who was in the room said some thing that witness did not hear. Capt Walters called witnesses attention to it, by saying Frances is speaking to you? Witness then asked her what did you say Madam? to which she replied; dont ask him the price of grain but the price of negroes - witness replied that negroes would bring better prices than damaged grain. witness heard no reply and rode off. A few days after, Capt Saml. C. Walters came over to the granary where witness was and Capt Walters remarked that Frances took very hard the selling of her servants - witness replied to him that it was very tough to sell his wife's servants without her consent and to ill treat her afterwards; Capt Walters replied whenever he put the girl she would not stay and the boy was a disadvantage to his children and therefore he sold them, And that is all witness knows about it

To the 3rd & 4th is not examined,

D. R. Longfellow

Whereupon the Solicitor for the Defendant submitted the cross interrogatories herewith returned,

To the 1st cross interrogatory witness answers and says: The boy he speaks of was not over nine years of age at that time, if he was he was small for his age, and that if he wanted to have bot. a Negro at that time he would not have given over two hundred and fifty dolls: for said boy - he has owned and sold negroes at home prices.

To the 2nd cross interrogatory he answers & says: that Capt Walters was at that time in tolerably good health and about forty four years of age.

D. R. Longfellow

Whereupon at the request of the Solicitors for the parties the Commission was kept open until the 30th day of January 1860 upon which said day the parties by their Counsel appeared before me and the following further testimony was had:

Wm. D. Lony of lawful age being duly sworn on the part of the Defendant, deposes and says: To the 1st Supplemental interrogatory, To the best of his recollection he did but it was upon the valuation fixed by John S. Walters admr of Sarah C. Walters and one of her distributees, who said that he would either take or sell at that valuation, which valuation was not objected to by Capt Saml. C. Walters or any of the distributees, and that this deponent then took all of said Negroes at the valuations, which were as follows: according to his best recollection: Pers \$300. Henrietta \$230. & Geo Richard \$175.

To the 2nd Supplemental Interrogatory he answers and says: that George Richard was one of said Negroes, and that Capt Walters did take said Negro from him at the said valuation after his (the deponants purchase as afo^r.) in full proportion of his wifes share of the valuation of said negroes.

To the 3rd Supplemental Interrogatory, he answers and says: hee did and that he still holds them.

To the 1st Corp Interrogatory He answers and says, Does not recollect that there was an agreement to take the boy George Richard before he got them but that it was understood that Capt Walters was to take one of the negroes at the valuation aforementioned, which was the amount due his wife.

William O. Lorry

Harriett Lorry witness of lawful age, produced on the part of the Complainant, being duly sworn and examined to interrogatories, filed with the Commissioners by the Complainant and herewith returned deposes and says:

To the 1st General Interrogatory she answers and says: that she was.

To the 2nd General Interrogatory she answers and says: That sometime previous to his death was at the house of William O. Lorry father of the witness, and heard him tell negr Wornaw Marietta Mathw of Margaret Ann, mentioned in the bill of Complaint that he had sold Margaret Ann and was sorry for it.

Miss Harriett Lorry

There being no other witnesses to be examined, and neither party desiring further time for the production of evidence the Commissioner closed the said Commission & herewith returns the same under his hand and seal this 6th day of February 1861

Geo. P. Heating
Comm^r

Cost of executing Commission

Geo P. Heating Commissioner for 3 days attendance \$4 per day		\$12.00
J. B. Rowleson Clerk 3 days	\$2.50	7.50
Frances A. Bottom Witness 1 day		.75
Marcy Fountain do do		.75
Wm O. Lorry do 2 days		1.50
J. Palmer Serv. do 1 day		.75
David R. Longfellow do 1 day		.75
Mrs Harriett Lorry do 1 day		.75
J. R. Story Shff Serving 1 Sum ^s		.45
a. Knotts " do		.45
Wm B. Lambert of Kent do		.45
E. Sudler Shff 2 Sum ^s		.90

Thereupon for this process of and upon the premises aforesaid is further continued by regular continuances from term to term of the said Court, until the first Monday of November in the year Eighteen Hundred and sixty three, at which said first Monday of November in the year last aforesaid, comes into Court here the said John S. Walters Administrator of Frances J. Walters, by his Solicitor aforesaid and the said James E. Walters Executor of Saml. C. Walters by his Solicitor aforesaid, and thereupon The Court passed the following Decree to wit:

John S. Walters
adms of Frances J Walters

In the Circuit Court of Queen Anns
County in Equity. Nov Term 1863

James E. Walters adm^r Saml. C. Walters

This cause standing ready for hearing &c

Counsel for the parties were heard & the proceedings read and considered.

It is thereupon this 13th day of November in the year 1863 by R. B. Carmichael Judge of the Circuit Court of Queen Anne's County, in Equity, adjudged ordered and decreed that there is due to the Complainant from the defendant as admr. of Saml. C. Walters the sum of six hundred (\$600.00) dollars with interest from the first day of January in the year 1851 for and on account of sale of negr girl Margaret Ann as charged in Bill of Complaint. And it is further ordered adjudged and decreed that the said defendant forthwith pay or bring into this Court to be paid to the said Complainant the said sum of six hundred (600) dollars with interest as aforesaid, together with the costs of this suit. It is further adjudged that Negr George Richard passed to Samuel C. Walters by purchase and that the Complainant is not entitled to any relief on account of the sale of same. It is further adjudged ordered and decreed that the defendant as administrator charge himself with the sum of Twenty Five Hundred dollars, by him received on account of the Life Policy of the Samuel C. Merchant and the interest thereon, the said sum to be administered by him as part of the personal estate of the said Samuel C. and to be distributed accordingly.

Rich^d. B^o. Carmichael

James R. Clements

vs

James Beck John

Beck, Martha Ann

Beck and James P.

Dudley Administrator of
William C. Beck

Be it remembered that on the ninth day of March in the year Eighteen Hundred and sixty three, James R. Clements by Albert J. Emory Esquire his solicitor filed in Queen Annes County Circuit Court sitting as a Court of Equity his Bill of Complaint against the said James Beck, John, Beck, Martha Ann, Beck and James P. Dudley administrator of William C. Beck in the following words to wit:

To the Honorable P. B. Hopper Judge of the Circuit Court for the County of Queen Annes sitting as a Court of Equity.

The Bill of Complaint of James R. Clements who sues as well for himself as all other creditors of William C. Beck, late of Queen Annes County deceased, who will come in and contribute to the expenses of this suit, humbly shews, that the said William C. Beck late of Queen Annes County deceased, was indebted unto your Orator James R. Clements, in his life time, on his certain single bill or obligation dated the eighteenth day of August in the year eighteen hundred and forty three, in the sum of thirty nine dollars and thirty five cents with interest thereon from the said date of said single bill or obligation and that the said William C. Beck, in his lifetime was indebted unto your Orator, in the further sum of five dollars and four and three fourths cents for sundry matters and things properly chargeable in account, with interest thereon from the twenty third day of November in the year eighteen Hundred and forty nine, as by your Orators Exhibits marked Exhibit A, B, filed as part of this bill will more fully appear, and your Orator further charges that the said William C. Beck being indebted as aforesaid unto your Orator, and also unto divers other persons in large sums of money; and having real and personal estate of value, departed this life in the year eighteen hundred and fifty leaving Ann Beck a widow, and James Beck, John, Beck and Martha Ann Beck his children and heirs at law, the said James Beck, John Beck and Martha Ann Beck being infants under twenty one years of age, and your Orator further charges that the said William C. Beck died, seized and possessed of several tracts or parcels of land known by the names of Conecyp Reserve, Gynders Lot and Gynders Ranges or by whatsoever names the same may be called, the said tracts of land, embracing one farm having been conveyed by Samuel Corder & wife to the said William C. Beck by deed bearing date the fifth of September in the year eighteen Hundred and forty three and recorded among the land records of Queen Annes County, and your Orator further charges that administration of all and singular the personal estate of the said William C. Beck hath been granted by the Orphans Court of Queen Annes County to a certain James P. Dudley, who in virtue thereof possessed himself of said personal estate; and as your Orator is informed and charged, has applied the same to the discharge of the proper debts due by the deceased so far as the same would go or was insufficient to pay. And your Orator is advised, as the personal estate of the said William C. Beck, deceased, in the hands of his administrator, was insufficient for the payment of his just debts, and has been applied to the payment of his debts per rates your Orator and his other Creditors, who have only received a dividend upon said personal estate & are yet unsatisfied; are entitled to have the deficiency in the payment of said claims supplied by a sale of the real estate of the said deceased, To the end therefore that the Defendants herein before and after named may answer the several matters and things herein before set forth, as fully and particularly as if they were

herein again repeated, and that the aforesaid tracts or parcels of land and that other real estate or estates which the said William C. Beck was seized of or entitled to at the time of his death, or so much thereof as may be necessary for the purpose, may be decreed to be sold for the payment of the claims of your Orator, and of the other unsatisfied creditors of the deceased; and that your orator may have such further and other relief in the premises as equity requires. May it please your honor to grant unto your Orator the writ of subpoena against the said James Beck, John Beck and Martha Beck of Queen Annes County, and James P. Dudley administrator of the said William C. Beck, commanding them to appear in this Court at some certain day to be therein named to answer the premises and abide by and perform such decree as may be passed therein. And as in duty bound for

Albert J. Emory
Sol for Complt.

The Exhibits referred to in the foregoing Bill of Complaint are in the words following to wit:

39. 3^d For value received I promise and obligate myself my heirs executors administrators and assigns to pay Jas. R. Clements or his legal heirs or assigns thirty nine Dols and thirty five cents current money of Maryland with legal interest from date, as witness my hand and seal this eighteenth day of August eighteen hundred and forty three. 1843.

Test. William C. Beck. *(Signature)*

John W. Tolson

Maryland Queen Annes County to wit: on this 2nd day of May 1850 before me the Subscriber one of the justices of the peace in and for said County personally appeared James R. Clements and made oath on the Holy Evangelists of Almighty God that the annexed note is just and true and that he hath not directly or indirectly received any security or satisfaction for the same

Probate $\frac{1}{2}$ paid Sworn before Saml. I. Sarman J. J. Snygona June 16th 1850

		To	Jas. R. Clements	D ^{ts}
	For 8 yds Calico c	18 3/4		1. 50
1847	" 8 1/2 do c	12 1/2		1. 06 1/4
April 30 th	" 1 pr lead lines c			.12 1/2
May 12	" 7 1/2 yds bleached muslin c 08			.60
1849	" 4 Cotton laps c 6 1/4			2. 50
May 9 th	" 1 Cow bill c 50		pants, pat. and trimmings 35	.85
	" 1 Coravat c			.60
23-	" 2 yds Cloth & trimmings			9. 00
	" 1 vest pattern c			1. 00
	" Trimmings for vest			.25
	" 1 Doth Table Spoons			.50
	" 1 pr Suspenders			.25
	Contra Cr			15. 98 3/4
1847	April 9	By 3 Shad	. 50	
	20	By 505 Herrings c 70	3. 53	
May 6	By 29 Shad c 13 1/2	3. 62 1/2		
1848	March 20 th	By 10 Herrings c	. 16	
1849	May 9 th	By 25 Shad c 13 1/2	3. 12 1/2	10. 94
				5. 04 3/4

Just from November 23rd 1849

Maryland, Queen Annes County to wit: This third day of May one thousand eight hundred

dred and fifty one before one the subscribers, one of the justices of the peace in and for the said County, personally appeared James R. Clements and made oath on the Holy Evangelical of Almighty God, that the above account as stated is just and true; and that he hath not received any part of the money stated to be due or any security or satisfaction for the same; except the credit given.

Probate & Sworn before Saml. J. Sarwan
1852, Nov 30th Examined and will be allowed when paid.

Court 10

Saml. J. Harrison Reg. Wills
for Queen Anne's County.

Whereupon Summons were issued for the said James Beck, John Beck and Martha Ann Beck, and James P. Dudley administrator of William C. Beck according to the prayer of the Complainant and the said James Beck, John Beck, Martha Ann Beck, and James P. Dudley administrator of William C. Beck being returned summoned and the said James Beck, John Beck and Martha Ann Beck being minors under the age of twenty one years appear in Court here and the Court appoints Ann Beck Guardian to answer and defend for them.

Thereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of July next, at which said fourth Monday of July in the year Eighteen Hundred and fifty three comes into Court here the said James R. Clements by his Solicitor aforesaid, and the said James P. Dudley administrator of William C. Beck appears in Court here by Clinton Cook and Philimon B. Woffers Esquires his Attorneys and files in Court here his answer to the said Bill of Complaint in the following words to wit:-

The answer of James P. Dudley, administrator of William C. Beck dec'd, to the Bill of Complaint of James R. Clements against him and others in Queen Anne County Circuit Court, as a Court of Equity, exhibited, This Defendant admits the several matters and things charged in the Complainant's Bill, to be true, and submits to such decree in the premises as may be right; and having no interest whatever in the said Suit, he prays to be hence dismissed, with his reasonable costs, and as in duty bound will ever pray &c

Cook & Woffers
Sols for a/cpt.

Queen Anne County to wit:- On this second day of August, in the year eighteen hundred and fifty three, before the Subscriber, a justice of the peace, in and for said County, personally appeared the above named James P. Dudley administrator of William C. Beck dec'd and makes oath, that the matters and things in the foregoing answer are true to the best of his knowledge and belief

Sworn before

F. Sutton

and afterward to wit:- On the twenty seventh day of October in the year last aforesaid the said Ann Beck Guardian of James Beck, John Beck and Martha Ann Beck appears in Court here and files her answer to the said Bill of Complaint as follows to wit:-

The answer of James Beck, John Beck, and Martha Ann Beck, infants under the age of twenty one years, by Ann Beck their guardian, to the bill of Complaint of James R. Clements, against them and James P. Dudley, admr of William C. Beck dec'd, in Queen Anne County Circuit Court as a Court of Equity, exhibited. These defendant cannot admit or deny any of the matters and things alleged in the said bill, and being infants of tender years submit their rights to the protection of this Court.

Test Saml. H. Sarwan

Signed by Ann Beck Guardian of Jas. Ans &
Martha A. Beck

Queen Anne County, to wit: on this twenty fourth day of August, in the year eight-
teen hundred and fifty three, the above named Aron Beck, guardian of James, John
& Martha A. Beck, appeared before me, the Subscriber, a justice of the peace of the State
of Maryland, in and for Queen Anne County aforesaid, and made oath that the matters
and things stated in the foregoing answer is true to the best of his knowledge and belief,
Sworn before

Sam^l. L. Larnan. J. P.

Whereupon further process of and upon the premises aforesaid is further continued un-
til the first Monday of November next at which said first Monday of November in
the year last aforesaid comes into Court here the said James R. Clements by his solicitor
aforesaid and the Court orders and directs that a Commission be issued to James
Wooters Esquire to take testimony in this case, which was accordingly issued in the
form following to wit:

The State of Maryland sp: Queen Anne's County to wit: To James Wooters of Queen
Anne's County Greeting: Be it known that You are appointed Com-
missioner to examine evidences in a case depending on the Equity
Side of Queen Anne's County Circuit Court between James R.
Clements Complainant and James Beck, John Beck + Martha
Ann Beck + James P. Dudley administrators of William C. Beck,
You are therefore hereby requested having first taken the Oath hereto annexed, and
also administered the annexed oath to the person whom you shall appoint as
Clerk to attend the execution of this Commission that at such time and place
as to you shall seem convenient you cause to come before you all such evi-
dences as shall be named and produced to you by either the Complainants
or Respondents and that you examine them upon their corporal oaths to be
by you administered upon the Holy Evangelys of Almighty God, touching their
knowledge or remembrance of any thing that may relate to the cause aforesaid,
and that you cause notice to be given to the parties or their Attornies
of the execution of this Commission before you execute the same and hav-
ing reduced the depositions of the witnesses so taken by you into writing:
You send the same, with this Commission closed under your hand
and seal to Queen Anne's County Circuit Court with all convenient
speed, Witness the Honorable Philemon B. Copper Esquire Judge of the
Circuit Courts in the Seventh Judicial Circuit of the State of Ma-
ryland the seventh day of November in the year eighteen hundred and
fifty three.

Issued the 24th day of January 1854

John Palmer Clerk

Commissioners Oath

You shall according to the best of your skill and knowledge truly faith-
fully and without partiality to any or either of the parties take the
examinations and depositions of all and every witness or witnesses pro-
duced before you and examined by virtue of the Commission here-
unto annexed, upon the Interrogatories now or which may hereafter before
the said Commission is closed be produced to and left you by either
of the said parties. So help you God

Cost of paid

Sworn Before

J. Sutton

Clerks Oath

You shall truly faithfully and without partiality to any or either
of the parties in this cause, take, write down and transcribe the deposi-
tions of all and every the witness and witnesses produced before and
examined by the Commissioner named in the Commission hereunto

annexed. So far forth as you are directed and employed by the said Commissioner to take into down and transcribe said depositions,
So help you God

James Walters,

Thereupon further process of and upon the premises aforesaid is further continued until the first Monday of May next, at which said first Monday of May in the year Eighteen Hundred and fifty four comes into Court here the said James R. Clements by his Solicitor aforesaid and afterward to wit: on the third day of June in the year last aforesaid James Walters Esq: the Commissioner makes return to the Court here of the execution of the foregoing Commission in manner following to wit:

James R. Clements In Queen Annes Circuit Court sitting in Equity,

The Heirs at Law
and administrator of
William C. Beck

Interrogatories to be proposed to witnesses on the part of the Complainant in the above cause,

1. Were you acquainted with the late William C. Beck deceased and if so how long?
2. Have you seen him write, and are you well acquainted with his hand writing? Have you received letters & notes from him?
3. Look at the paper marked A, an exhibit in this case purporting to be a note or single bill given by William C. Beck to James R. Clements? Do you or not believe the signature to said note or single bill is in the proper hand writing of the said William C. Beck?

Albert F Emory

Sol for Complainant

at the execution of the annexed Commission issued out of the Circuit Court for Queen Annes County sitting as a Court of Equity, and to me directed, and empowering me to examine evidences in a cause depending in the said Court, between James R. Clements Complainant, and William C. Beck's Administrator and others defendants, I, James Walters Commissioner therein named, having given previous notice to the said parties and having appointed John Palmer Esq my Clerk and after administering to him the oath annexed to the said Commission, to be taken by him, did, on the 4th day of April at Centerville in the County aforesaid, proceed in the presence of the Solicitors of the parties to the said cause to take the following depositions to wit:

James T. Perkins a witness of lawful age produced on the part of the Complainant being duly sworn and examined to interrogatories filed with the Commissioner by the Complainant and herewith returned deposes and says:

To the first Interrogatory, That he was acquainted with him and knew him several years before his death,

To the second Interrogatory, that he has not seen him write, and he cannot say that he is well acquainted with the hand writing of said Beck

To the third Interrogatory, That he believes the paper marked A an exhibit in this cause, and now shown to him, to be in the proper hand writing of the said William C. Beck from the fact that he has had notes of hand against the said Beck for collection & that the signatures

to said Notes, which said Beck acknowledged to be his corresponded with the Signature now shown him.

James J. Perkins

Samuel Roberts a witness of lawful age produced on the part of the Complainant, being duly sworn and examined to interrogatories filed with the Commissioner by the Complainant deposes and says

To the first Interrogatory, That he was acquainted with the late Hon^{ble} C. Beck deceased, and that he has known him from his infancy;

To the second Interrogatory, That he has seen him write, and he is well acquainted with his hand writing and that he has received letters and notes from him;

To the third Interrogatory, That the ~~the~~ signature to the paper marked "A" an exhibit in this case and now shown to him purporting to be a single bill given by Hon^{ble} C. Beck to J. R. Clements is in the proper hand writing of the said Hon^{ble} C. Beck

Saml. Roberts

There being no other witnesses to be examined, and no other interrogatories filed, and neither party desiring further time for the production of his evidences the Commissioner closed the said Commission and herewith returns the same under his hand and seal this 4th day of April 1854.

James Walters.

Costs of executing Commission

Commissioner	1 day + oath	4.06
Clerk	1 do	4.00
L. Roberts	Witness 1 day	.66
J. J. Perkins	do 1 do	.66
		\$9.38

and thereupon the Court passed the following Decree to wit:

James R. Clements

vs

James Beck John

Beck + Martha

Ann Beck + James

J. Dudley administrator

of Williams C. Beck

May Term of Queen Anne's Circuit Court sitting as a Court of Equity in the year 1854

The said Cause standing ready for hearing and being submitted, the Bill, exhibits, answers, evidence and all other proceedings were by the Court read and considered. It is thereupon this third day of June in the year eighteen hundred and fifty four and by the authority of this Court adjudged, ordered and decreed, that all the Real Estate of Hon^{ble} C. Beck deceased mentioned in the proceedings be sold and that Albert J. Emory and he is hereby appointed Trustee for making the said Sale and that the course and manner of his proceedings shall be as follows. He shall first file with the Clerk of this Court a bond executed by himself and a surety or sureties approved by the Court in the penalty of Three thousand dollars conditioned for the faithful performance of the trust reposed in him by this decree or to be reposed in him by any future order or decree in the premises. He shall then proceed to sell the same either entire or in such parcels as he shall deem advantageous after giving at least three weeks previous notice in some newspaper published in Queen Anne's County of the time place manner and terms of sale, which shall be that the purchaser or purchasers shall pay Two Hundred (200) dollars in cash

and the balance of the purchase money in six twelve and eighteen months with interest from the day of Sale, and as soon as conveniently may be after Sale the Trustee shall return to this Court a full and particular account of his proceedings relative thereto with an affidavit of the truth thereof and of the fairness of the sale annexed, and upon the ratification of the Sale by the Court and on receipt of the purchase money and net before The Trustee shall by good and sufficient deed executed, acknowledged and recorded according to law convey to the purchaser or purchasers the property to him her or them sold free clear and discharged from all claim of the Complainant or defendants, and the Trustee shall bring into this Court the money arising from the said sale to be applied under the order of this Court after deducting the costs of this Suit and such Commission as may be deemed proper to be allowed the Trustee in consideration of the skill and fidelity wherewith he shall appear to have discharged his trust, and at the time of advertising said Sale, the said Trustee is directed to give Notice to the Creditors of the said William C. Beck deceased, to file their claims with the vouchers thereof, in the Clerks office of said Court, within three months from the day of Sale

P. B. Hopper

Thereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of July next at which said fourth Monday of July in the year eighteen Hundred and sixty four comes into Court here the said James R. Clements by his Solicitor aforesaid and Albert T Emory Esquire the Trustee, files in Court here his bond with the endorsement thereon to wit:-

Know all men by these presents that We Albert T Emory + James P. Dudley of Queen Anns County in the State of Maryland are held and firmly bound unto the State of Maryland in the full and just sum of three thousand dollars current money to be paid to the said State of Maryland or its certain Attorney; to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors and administrators jointly and severally firmly by these presents sealed with our Seals and dated this twenty fifth day of July in the year eighteen Hundred and fifty four, Whereas by a decree of the Circuit Court of Queen Annes County sitting as a Court of Equity, bearing date the third day of June in the year eighteen Hundred and fifty four and passed in a cause in the said Court wherein James R. Clements is Complainant and James Beck and others are defendants, the above bound Albert T Emory has been appointed Trustee to make sale of certain real estate mentioned in the proceedings in said cause, Now the condition of the above obligation is such that if the above bounden Albert T Emory do and shall well and truly perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, then the above obligation to be void otherwise to remain in full force and virtue in law.

Signed, Sealed and delivered in presence of

Witness J. E. Dillew

Albert T Emory

Jas P. Dudley

Seal
Seal

Security approved.

July 29. 1856

P. B. Hopper

Thereupon further process of and upon the premises aforesaid is further continued until the first Monday of November in the year eighteen hundred and fifty four, at which said first Monday of November in the year last aforesaid comes into Court here the said James R. Clements by his Solicitor aforesaid, and afterward to wit: On the twenty fourth day of December in the year last aforesaid Albert J Emory Esquire the Trustee files in Court here the following Report of Sale to wit:

James R. Clements
as
James Beck, John Beck
Martha Ann Beck James
P. Dudley administrator
of William C. Beck

In Chancery

To the Honorable the Judge of Queen Annes County Circuit Court sitting in Equity. The report of Albert J Emory, Trustee, appointed by the decree in this Cause to make sale of certain real estate, there is mentioned, shows: That after giving bond with security for the faithful discharge of his trust, as required by said decree, and giving notice of the time, place, manner & terms of sale by advertisements in the Centreville Times and Sentinel, two newspapers printed at Centreville, for more than three successive weeks before the day of sale and by hand-bills circulated throughout Queen Annes County, he did, pursuant to said notice attend at the tavern of John Davis at Church Hill on the twenty six- day of August in the year eighteen hundred and fifty four, at two o'clock P. M. and then & there proceeded to sell said real estate as follows, to wit: In the first place your Trustee offered at public sale to the highest bidder the farm or real estate of the said William C. Beck situated in Queen Annes County & more particularly described in the proceedings in said cause, but previous to sale one of the bystanders publicly gave notice that there were three separate doves or dower in said real estate; and your Trustee sold the same to James P. Dudley, he being then and there the highest bidder thereof, at and for the sum of two hundred and seventy dollars; and he has since taken the notes of the said James P. Dudley, for the payment of the said sums in equal months, with interest thereon in six twelve and eighteen months from the day of sale. And your Trustee further reports that at the time of advertising said sale he gave notice to the Creditors of the said William C. Beck, deceased, to file their claims with the vouchers thereof in the Clerks Office of the Circuit Court within three months from the day of sale, which is respectfully submitted

Albert J. Emory
Trustee

Queen Annes County to wit: On this twenty first day of December before a Subscriber a Justice of the Peace in and for said County personally appeared the within named Albert J Emory Trustee, and made oath that the matters and things stated in the foregoing report are true, to the best of his knowledge and belief, and that the sale there is reported was fairly made

Cost 10 of paid

J. Sutton

And thereupon the Court passed the following Order to wit:-

In Chancery Decr. 21st 1854.

Ordered that the sale made and reported by Albert J. Emory, trustee for the sale of the real estate of William C. Beck, deceased, be ratified & confirmed unless cause to the contrary thereof be shown on or before the first day of February next, provided a copy of this order be inserted in some newspaper printed at Centerville once in each of three successive weeks before the 25th day of January next. The report states the amount of sales to be \$270.00

P. B. Hopper

And thereupon further process of and upon the premises aforesaid is further continued until the first Monday of May next, a year Eighteen Hundred and fifty five, at which said first Monday of May in the year last aforesaid comes into Court here the said James R. Clements by his Solicitor aforesaid, and thereupon the Court pass the following Order to wit:-

In Chancery. Ordered, that the sale within reported be and the same is hereby ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given as directed by the preceding order. The trustee is allowed for commission the sum of nineteen Dollars and the costs to be allowed by Auditor

P. B. Hopper

Thereupon further process of and upon the premises aforesaid was further continued by regular continuances from term to term of the said Court until the fourth Monday of July in the year Eighteen Hundred and fifty seven at which said fourth Monday of July in the year last aforesaid comes into Court here the said James R. Clements by his Solicitor aforesaid and Philemon B. Hopper require the Auditor of the said Court files in Court here the following Statement of Claims and Auditors Reports to wit:-

Statement of claims against W^m C. Beck, which received no part of the personal estate with interest taxed to 26th August 1854, the day on which the Real Estate was sold.

		Dds	cts	Dds	cts
Mordecai Price use of Jas P. Dudley being for taxes for 1853 & 1854	Claim No 1			14	46
E. E. Maney use of Jas P. Dudley being for taxes for 1850 Int from 16 th March 1852 to 26 th Aug 1854	Claim No 2	11	28	14	08
Barbara Tschudy use of Jas P. Dudley Int on \$21.50 from 1 Jan 50 to 26 th August 1854 Int on \$21.50 from 1 Jan 1850 to same time Cost of probab	Acct No 3	43	00	53	99
Johnathan Lannes admors of Thos. Lawrence use of Jas P. Dudley note Int from 5 Oct 1844 to 26 Aug 1854 Cost of probab	Claim No 4	2	75	4	44

Joseph Massey & wife admrs of W. H. Shirley
 account

Int from 5 Nov 1850 to 26 Aug 1854

Cost of probat & allowance

Claim No 5

46 64

10 65

amount

57 54

Samuel H. Cole acct Claim No 6

Int from 14 Mar 1849 to 26 Aug 54

Cost of probat & allowance

5 06 1/4

1 76

amount

7 01

Johnathan Downes acct Claim No 7

Int from 15 June 1850 to 26 Aug 54

Cost of probat & allowance

7 87 1/2

1 98

amount

10 01 1/2

161 33 1/2

161 33 1/2

Amount brought forward

Luther R. Sparks acct Claim No 8

Int from 26 Feb 1850 to 26 Aug 1854

Cost of probat & allowance

3 00

81

amount

4 01

John A. Borrens acct Claim No 9

Int from May 1850 to 26 Aug 1854

Cost of probat & allowance

94 1/2

24

amount

1 45

James J. Perkins acct Claim No 10

Int from 1 Jan 1848 to 28 Aug 1854

Cost of probat & allowance

11 33

4 52

amount

16 05

182 84 1/2

whole amt of additional claims

Deduct as preference claims

Claim No 1

14 46

No 2

14 08

a portion of claim No 3

amount

56 05

Leaving this amount for dividend

126 79 1/2

Clements
 vs
 Beck

In Queen Anne County Circuit Court sitting as a
 Court of Equity -

To Honble J. B. Hopper sole Judge

The Auditor respectfully reports, that he has examined the proceedings in this case, and has therefrom prepared the statement of claims which he styles "Additional Claims" because they received no part of the personal estate of William C. Beck deceased, and has also prepared an account between the Real Estate of Wm C. Beck deceased and A. F. Emory Esq Trustee for the sale thereof. In this account he has allowed to the Trustee his commissions and expenses deducting 10 per cents of the Commissions and assigning them to the State for its tax on commissions, he has allowed to the Complainants and Defendants their costs of suit and the Auditor his fee, Hee then allowed Claims No 1 + 2 in full being for taxes due former collectors and paid by Jas J. Dudley, and one portion of Claim No 3 in full that portion being rent for 1849 for which the Claimant could have distrained, at the death of W. C. Beck, these allowances left a balance which was applied to the remainder of the additional claims at the rate of 59% cents in the dollar

in order to put them on a footing with other claims which received a dividend from the personalty of the same percent. This left a small balance of \$1.15 which is unworthy of distribution among all the claims, embracing the balances on claims allowed out of the personalty and the balances of claims not allowed as "Additional Claims" all of which is respectfully submitted

P. B. Hopper Jr Auditor
July 25th 1857

Dr The Real Estate of William G. Beck in acct with Albert S Emory Trustee for the sale thereof

		Dols,cts	Dols,cts	Dols,cts
		19	00	
1854 Aug 26	To the Trustee for his commissions			
	Deduct 10 per cent tax to the State	17	10	
	To the State for tax on Commissions		1	90
	To the Trustee for his expenses		18	62 1/2
	To The Complainant for his costs of suit viz Solicitor	20	00	
	Clerk	44	95	
	Sheriff	1	33 1/3	
	Costs of Commissioner to take testimony	9	38	
	Cost of Copy of dividend of personal + certificate that the personal estate is insolvent	1	36	77 22 1/3
	To The Defendants for their costs of suit viz Clerk	7	70	
	Solicitor		17	90
	To The Auditor for his fee		4	66 2/3
	To E. E. Massey use Jas P. Dudley tax bill No 1 additional claims		14	08
	To W. Price use of Same tax bill No 2 "		14	46
	To Barbara Tschudy use of same in part of No 3 additional claims as preference to this extent		27	57 1/2
	Leaving \$76.67 1/2 which divided among the additional claims at 59 3/100 in the dollar gives to each as follows		193	32 1/2
	To Barbara Tschudy use of same for dividend on bal of Claim No 3	26	28	15 59
	To Johnathan Pomes admr of Thomas Lawrence use of same for dividend on claims No 4	4	44	2 63
	To Josiah Massey wife admr of W. H. Kirby div: on Claim No 5	57	54	34 14
	To Samuel W. Cole for dividend on Claim No 6	7	01	4 16
	To Johnathan Pomes for " " " No 7	10	0 1/2	5 94
	To Luther K. Sparks for " " " No 8	4	01	2 38
	To John A. Brown No 9	1	45	86
	To James F. Perkins No 10	16	05	9 52
	leaving this fraction unworthy of division	126	79 1/2	268 84 1/2
				270 00
1854 Aug 26	By amount of proceeds of Real Estate as set forth in Trustees Report			270 00
				270 00

Thereupon further process of and upon the premises aforesaid is further continued

by regular continuances until the first Monday of May next. at which said first Monday of May in the year Eighteen Hundred and fifty eight comes into Court here the said James R. Clements by his Solicitor aforesaid and Barbara Tschudy by E. F. Chambers her Solicitor and files in Court here her petition in form following to wit:

In the Matter of the Real Estate of Wm. Beck deceased. Queen Anne's County Circuit Court May Term 1858. The petition of Barbara Tschudy respectfully represents to the Honorable Court that she has a Claim of preference against the said estate which for the want of the necessary proof she has not heretofore been able to file in proper form and which therefore has not been allowed and as no part of the money for which the real estate was sold, has been received or expended by the Trustee your Orator is advised she is still entitled to have her claim allowed. To the end she prays the Court to order the papers to be returned to the Auditor with instructions to state her account and if in his opinion it is properly chargeable against the Estate to allow the same.

8 May 1858

E. F. Chambers

for petr.

Upon consideration of the above petition, It is this 8th May 1858 ordered that the Auditor be authorized to reexamine the accounts & claims against the Real Estate of Wm. Beck deceased and make his report thereon according to the practice of the Court for its future action in the premises.

Rich^d. Bth. Carmichael

Thereupon further process of and upon the premises aforesaid is further continued by regular continuances until the fourth Monday of January in the year Eighteen Hundred and sixty three at which said fourth Monday of January in the year last aforesaid comes into Court here the said James R. Clements by his Solicitor aforesaid and thereupon the Court passed the following Order to wit:

It is on this 26 Jan 1863 ordered by R. B. Carmichael Judge of the Circuit Court of Queen Anne's County in Equity that the within Audit be ratified and confirmed and that the Trustee be directed to pay to parties entitled accordingly.

Rich^d. Bth. Carmichael.

John H. Clayton, Julia Clayton,
Sallie Clayton, Benjamin
North, and Caroline his wife

vs

Walter F. Clayton, Robert Wright,
Mary Wright, Clinton Wright,
Sallie Wright, and Henrietta Wright

Be it remembered that on the first day
of May in the year eighteen hundred and
fifty six John H. Clayton, Julia Clayton,
Sallie Clayton, Benjamin North and Caroline
his wife by Richard B. Carmichael and
Madison Brown Esquires their Attorneys
file in the Circuit Court for Queen Anne's
County sitting as a Court of Equity their bill
of Complaint against the said Walter F.
Clayton, Robert Wright, Mary Wright, Clin-

ton Wright, Sallie Wright and Henrietta Wright in the words following to wit:

To the

Honorable P. B. Hopper Judge of the Circuit Court for Queen Anne's County
on the Equity side thereof, The Bill of Complaint of John H. Clayton, Julia
Clayton and Sallie Clayton of Queen Anne's County and Benjamin North
and Caroline his wife formerly Caroline Clayton of Kent County humbly shew
that heretofore a certain Walter F. Clayton ^{late} of Queen Anne's County deceased
was in his life time seized and possessed of a certain farm or plantation
lying and being in said County containing or about two Hundred and
fifty acres, and also of a house & lot in Centerville in said County contain-
ing about one half acre of land and being so seized ^{and} and possessed some-
time in the year eighteen Hundred and fifty six, departed this life intestate
leaving your Orator John H. Clayton and your Oratrices Julia Clayton, Sal-
lie Clayton and Caroline North and the defendants Walter F. Clayton, Rob-
ert Wright, Mary Wright, Clinton Wright, Sallie Wright and Henrietta Wright
his Heirs at law: that your Orator John H. Clayton and your Oratrices
Julia Clayton, Sallie Clayton and Caroline North are children of said intestate:
that the said Walter F. Clayton is the only child of Thomas Clayton a
son of the intestate who died in the lifetime of his father: that the said
Robert Wright, Mary Wright, Clinton Wright and Sallie Wright are the children
of Anna Wright formerly Clayton a daughter of said Intestate and the
said Henrietta Wright is the only child of Henrietta Wright formerly Clayton
a daughter of said Intestate: that the said Anna and Henrietta Wright
deceased both died in the life time of said Intestate: that consequently
your Orator John H. Clayton and your Oratrices Julia Clayton, Sallie Clayton,
and Caroline North and the defendants Walter F. Clayton and Henrietta
Wright are entitled each to an undivided ~~seventy~~ ^{twenty} eighth part and the
defendants Robert Wright, Mary Wright, Clinton Wright and Sallie Wright each
to an undivided one twenty eighth part of the Real Estate of which the
said Intestate died seized and that all the Defendants are Infants under
the age of twenty one years and the Complainants all Adults and the said
defendants reside in Queen Anne's County - Your Orators further charge that
the said Real Estate is susceptible of division among the parties aforesaid
or at least into two or more parts without loss and injury to the parties
aforesaid with a right of election as second by law, and that if it cannot
be divided among the parties entitled according to their just proportions without
loss and injury or into any fewer parts and if the parties entitled shall
not elect to take said Real Estate at the valuation thereof, then that your
Orators will be entitled to have the said Real Estate sold and the proceeds
distributed among the parties agreeably to their respective interests - To the
end therefore that the said Walter F. Clayton, Robert Wright, Mary Wright,

Clinton Wright, Sallie Wright and Henrietta Wright may answer the premises and that a Decree may be passed, for a partition of the aforesaid Real Estate among the parties aforesaid according to their respective interests or if the same cannot be effected without loss and injury, then that it shall be divided into fewer parts provided it can be done without loss and injury and of the parties entitled, in case the same shall not be susceptible of division at all or into fewer parts than the persons entitled, shall refuse to elect to take the same, that said Real Estate may be sold and the proceeds divided according to the respective rights and interests of the parties and that your Orators may have such other and further relief as their case may require. May it please your Orators to grant unto your Orators and Oratrices the writ of subpoena against the said Walter T. Clayton, Robert Wright, Mary Wright, Clinton Wright, Sallie Wright and Henrietta Wright of Queen Anne's County commanding them to appear in this Court at some certain day to be therein named to answer the premises and abide by and perform such Decree as may be passed therein and as in duty bound &c

Garnichael Brown

Sol^r for Complots:

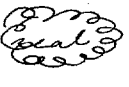
Thereupon Summons were issued for the said Walter T. Clayton, Robert Wright, Mary Wright, Clinton Wright, Sallie Wright and Henrietta Wright, who were returned summoned, and thereupon the Court directs that a Commission shall issue to Washington Finley to assign a guardian to answer and defend for the minors, whereupon Commission was accordingly issued in the form following to wit:

Queen Anne's County to wit the State of Maryland jc. To Washington Finley of Queen Anne's County greeting. Whereas John H. Clayton, Julia Clayton, Sallie Clayton, Benjamin North and Caroline his wife, have lately filed their Bill of Complaint against Walter T. Clayton, Robert Wright, Mary Wright, Sallie Wright, Henrietta Wright and Clinton Wright in Queen Anne's County Circuit Court sitting as a Court of Chancery, and whereas the said Court have commanded the said parties to appear before the said Court at a certain day now past to answer the said Bill, but forasmuch as the said Walter T. Clayton, Robert Wright, Mary Wright, Sallie Wright and Henrietta Wright and Clinton Wright are infants under age and cannot answer the said Bill or defend this suit without having a guardian assigned for that purpose. Know ye therefore that the said Court have given you full power and authority to assign and appoint a guardian for said infants by such to said Bill thereof you are hereby commanded that at such certain day and place as you shall think fit you go to the said Walter T. Clayton, Robert Wright, Mary Wright, Sallie Wright, Henrietta Wright and Clinton Wright, if they cannot conveniently come to you and assign and appoint a guardian for said infants and take their answers by such guardian to the said Bill on such Guardian's Corporal Oath to be by you administered on the Holy Evangelij of Almighty God; the said answers being distinctly and plainly wrote, and when you shall have taken the said answers you are to send the same with this Commission closed under your seal, together with your certificate certifying that you have assigned and appointed such Guardian; Witness the Honorable Philemon B. Hopper

Esquire Judge of said Court the 5th day of May 1856
 Issued the 13th June 1856

John Palmer Clerk

And thereupon the following Return and answers are filed to wit:
 To the Honorable P. B. Hopper Judge of the Circuit Court for Queen
 Annes County. The subscriber being the Commissioner named in the annex-
 ed Commission, hereby certifies that in execution of the powers thereby vested
 in me, I did on the seventeenth day of June in the year eighteen hundred
 and fifty six proceed to the house of Clinton Wright Senr: where Walter F.
 Clayton, Robert Wright Mary Wright, Sallie Wright, Bennetta Wright and Clin-
 ton Wright, the infants named in the said Commission then were, and
 caused the said infants to be brought before me, and there and there, in
 the presence of the said infants, assigned and appointed Clinton Wright
 Senr: of Queen Annes County aforesaid guardian to said infants and
 took the answers of said infants, by their said guardian, and under the
 oath of the said guardian, by me administered to the bill of Complaint in
 said Commission mentioned which said answers are herewith returned
 closed under my hand and seal this seventeenth day of June eighteen hun-
 dred and fifty six.

Wash^g: Finley 

The joint and several answers of Walter F. Clayton, Robert Wright, Mary
 Wright, Sallie Wright, Bennetta Wright and Clinton Wright, infants under
 the age of twenty one years by Clinton Wright Senr: their guardian, to
 the Bill of Complaint of John H. Clayton, Julia Clayton, Sallie Clayton,
 Benjamin Worth and Caroline his wife against them in the Circuit Court
 for Queen Annes County exhibited. These defendants cannot admit any
 of the matters and things alleged in the said Bill and being infants of
 tender years severally submit their rights to the protection of this Court.
 Clinton Wright

On this seventeenth day of June 1856 the above named Clinton Wright Senr:
 appeared before me, Commissioner, and made oath that the matters and
 things stated in the foregoing answers are true to best of his knowledge and
 belief

Wash^g: Finley

John H. Clayton & others } On the Equity side of Queen Annes County
 as } Circuit Court

W. F. Clayton & others }
 Agreed that the Clerk shall issue Commis-
 sion to take testimony in this cause to Thomas J. Keating Esquire,

C. + B for Complainants

Lloyd Telford for

Defts.

And thereupon Commission was issued in form following to wit:
 Queen Annes County to wit: The State of Maryland do to Thomas J.
 Keating of Queen Annes County, Gentleman, Greeting: Be-
 it known that you are appointed Commissioner to ex-
 amine evidences in a cause depending on the Equity side
 of Queen Annes County Circuit Court, between John H.
 Clayton, Julia Clayton, Sallie Clayton, Benjamin Worth
 and Caroline Worth his wife, Complainants, and Walter F. Clayton, Robert
 Wright, Mary Wright, Sallie Wright, Bennetta Wright and Clinton Wright, Res-

pendents, You are therefore requested, having first taken the oath hereunto annexed, and also administered the annexed oath to the person whom you shall appoint as Clerk to attend to the execution of this Commission, that at such time and place as to you shall seem convenient, you cause to come before you all such evidences as shall be named and produced to you by either the Complainants or Respondents, and that you examine them upon their corporal Oaths to be by you administered upon the Holy Evangelij of Almighty God, touching their knowledge or remembrance of anything that may relate to the cause aforesaid, and that you cause notice to be given to the parties or their attorneys of the execution of this Commission before you proceed to execute the same, and having reduced the depositions of the witnesses so taken by you into writing, you send the same with this Commission closed under your hand and seal to the said Circuit Court with all convenient speed: Witness, the Honorable Philemon B. Hopper Esquire, Judge of the Circuit Courts of the seventh Judicial Circuit of Maryland the fifth day of May Eighteen hundred and fifty six
 Given the 14th July 1856 John Palmer Clerk

Commissioners Oath

Queen Annes County Id: Be it remembered that on the eighteenth day of July in the year Eighteen Hundred and fifty six personally appeared Thomas J. Keating before one the Subscriber a Justice of the peace in and for Queen Annes County and made oath on the Holy Evangelij of Almighty God that he will according to the best of his skill and knowledge, truly faithfully and without partiality to any or either of the parties take the examinations and depositions of all and every witness and witnesses produced before and examined by virtue of the within Commission upon the Interrogatories now or which may hereafter before the said Commission is closed be produced to and left with him by either of the said parties.
 So help you God

J. K. Slaughter

10¢ paid

Clerks Oath

Queen Annes County Jo: Be it remembered that on the 18th day of July 1856 personally appeared John B. Brown before one the Commissioner named in the within Commission, and made oath on the Holy Evangelij of Almighty God, that he will well and faithfully and without to any or either of the parties named in said Commission take write down and transcribe the depositions of all and every witness and witnesses produced before and examined by the Commissioner named in the Commission hereunto annexed so far forth as you are directed and employed by the said Commissioner to take, write down and transcribe the said depositions. So help you God
 Sworn before

Thos. J. Keating

And afterward to wit: On the twenty fourth day of July in the year last aforesaid Thomas J. Keating Esquire the Commissioner named in the aforesaid Commission makes return to the Court here of the execution of the said Commission in the manner following, to wit:

John H Clayton & others

In Queen Annes County Circuit Court.

Attorney J. Clayton & others

General Interrogatories to be propounded to the

Witnesses on the part of Complainants -

- 1st Are you or not acquainted with the several parties to this cause?
- 2nd Were or were not the Complainants John H. Clayton, Julia Clayton, Sallie Clayton and Caroline Worth wife of Benjamin Worth the only children of Walter J. Clayton deceased living at the time of his death? and are they or not all adults?
- 3rd Were or were not the Defendants the only grand children of said Walter J. Clayton living at the time of his death, whose parents being children of said W. J. Clayton died in his lifetime and are or are they not all infants under the age of twenty one years?
- 4th Do you or not know that said W. J. Clayton died intestate sometime in the year 1856 seized in fee of a Farm near Centerville in which the Complainants John H. Clayton now resides and do you or not know of any other Real Estate of which said W. J. Clayton was seized at the time of his death?
- 5th From your knowledge of the condition and extent of said Real Estate and the interests of the various heirs of said W. J. Clayton is it or not your opinion and judgment that said Real Estate is susceptible of division into any number of parts equal or unequal in value without loss and injury to the parties interested or some of them?
- 6th Are you or not of opinion that it would be to the interest and advantage of all the parties that said Real Estate should be sold and the proceeds of sale divided among them according to their respective interests in preference to their continuing to hold the same as Coparceners and in preference to any division thereof?

Samuel B. Brown
Sol^r for Compls.

At the execution of the annexed Commission issued out of the Circuit Court of New Ann's County, to me directed and empowering me to examine evidences in a cause depending in this Court between John H. Clayton and others Complainants and Walter J. Clayton and others Defendants. I Thomas J. Keating Commissioner therein named attended on the eighteenth day of July eighteen hundred and fifty six at my office at Centerville at ten o'clock A. M. pursuant to previous notice thereof given to the said parties and have taken the oath annexed to said Commission and having appointed John B. Brown my clerk and administered to him the oath annexed to said Commission to be taken by him did proceed there and there in the presence of Madison Brown Solicitor for the Complainants and of Lloyd Tilghman Solicitor for the Defendants to take the following depositions to wit:

Clinton Wright a witness of lawful age produced on the part of Complainants being duly sworn and examined to interrogatories filed with the Commissioner by the Complainants and herewith returned deposes and says

To the first Interrogatory that he is well acquainted with them all,

To the second he answers and says to both branches yes,

To the third he answers and says that they were and are and that Walter J. Clayton is the only child of Thomas E. Clayton son of Walter J. Clayton, that Robert Wright, Mary Wright, Clinton Wright and Sallie Wright are the only children of Anna W. Wright daughter of Walter J. Clayton, and that Bennetta Wright is the only child of Bennetta Wright another daughter of Walter J. Clayton, and that said Thomas E. Clayton Anna W. Wright

and Henrietta Wright all died in the lifetime of Walter J. Clayton.

To the fourth he answers and says that he died intestate sometime in March 1856 and beside the farm on which John H. Clayton resides he owned a house and lot in Centerville which latter was since his death sold by Sheriff under execution.

To the fifth he answers and says that he thinks it is not susceptible of any division without loss or injury.

To the sixth he answers and says that he thinks it would be to the advantage of the parties to sell and divide proceeds, because he thinks the farm is too small for division, and that it would be better to sell because the owners are so numerous that it would be most likely to depreciate in value

Clinton Wright

Richard E. Feddeman a witness of lawful age produced on the part of Complainant, being duly sworn and examined to interrogatories filed with the Commissioner by Complainant and herewith returned deposes and says.

To the several interrogatories, having heard read the answers of Clinton Wright thereto he adopts said answers as his own


R. E. Feddeman

Samuel T. Earle a witness of lawful age produced on the part of Complainant being duly sworn and examined to interrogatories filed with the Commissioner and herewith returned deposes and says

To the several interrogatories, having heard read the answers of Clinton Wright thereto he adopts said answers as his own

Saml. T. Earle

There being no Cross Interrogatories exhibited to be put to said Witnesses, and no other witnesses to be examined and neither party desiring further time for the production of their evidences, the Commissioners closed the said Commission and herewith returns the same under his hand and seal this 18th day of July 1856

Thos. J. Heating 
Commissioner

Bill of costs under this Commission

T. J. Heating Commissioner	1 day attendance & oath	4.00
J. B. Brown Clerk to Commissioner	1 days attendance	2.66 2/3
Clinton Wright Witness	1 days attendance	1.66 2/3
R. E. Feddeman Witness	1 days attendance	1.66 2/3
Saml. T. Earle Witness	1 days attendance	1.66 2/3
W. A. Dubamel Sheriff, serving summons on		
Clinton Wright, R. E. Feddeman & Saml. T. Earle each	c 38	1.14
		<u>9.88 2/3</u>

Thos. J. Heating
Commissioner

To the Honorable J. B. Hopper Judge of the Circuit Court for Queen Anne's County in Equity.

The petition of John H. Clayton, Julia Clayton, Sallie Clayton and Benjamin North and Caroline his wife the Complainants in this cause respectfully represent to your Honor that since the filing the original bill in this cause, the house & lot in Centerville part of the Real Estate mentioned in said Bill has been sold under execution by

James E. Pillew late Sheriff of Queen Anns County in virtue of two writs issued of the Circuit Court for said County one of them at the suite of John Tilghman and the other of Richard B. Carmichael and which were writs delivered to the Sheriff and laid on said House Plot in the lifetime of the said Walter J. Clayton and that said House + Lot should not be included in the Commission to be issued to divide + value the Real Estate of said W. J. Clayton

Carmichael & Bruner
Sol for Petors;

And thereupon the Court orders and directs that a Commission shall issue to Stephen L. Wright, John W. Perry, Jas. M. Seegar, George C. Palmer and Philemon T. Coote Esquires to divide the Real Estate of Walter J. Clayton. and appoints Clinton Wright Guardian to the Mors. and thereupon Commission is issued in the following form to wit:

The State of Maryland ss. Queen Anns to wit: To Stephen L. Wright, John W. Perry, James M. Seegar, George C. Palmer and Philemon T. Coote
Justices of Queen Anns County: Gentlemen: Greeting Know you that pursuant to an order of the Circuit Court for Queen Anns County sitting as a Court of Equity passed this day in a cause therein depending between John H. Clayton, Julia Clayton, Sallie Clayton, Benjamin North and Caroline his wife complainants and Walter J. Clayton, Robert Wright, Mary Wright, Clinton Wright and Henrietta Wright defendants, you as a majority of you are authorized and empowered having first taken the oath hereunto annexed to adjudge and determine whether the real estate whereof Walter J. Clayton late of said County deceased died seized will admit of being divided without loss or injury to all the parties entitled and to ascertain the value of the said estate in lawful money taking into consideration any incumbrance thereon, and to ascertain the value of said estate subject to ^{the} incumbrance; and if the estate can in your opinion and judgment, or in the opinion or judgment of a majority of you be divided without loss or injury to all the parties entitled, then to divide and make partition of the same fairly and equally in value among all the parties interested according to their several just proportions thereof or if the estate cannot be divided equally and fairly among all the parties interested according to their several just proportions, then you or a majority of you shall divide the said estate into as many parts as it is susceptible of without loss and injury to all the parties entitled and ascertain the value of each part of the said Estate in current money subject to any incumbrance thereon; and if in your opinion and judgment or in the opinion and judgment of a majority of you the said estate cannot be divided without loss and injury to all the parties entitled, then you or a majority of you shall make return to the said Court of your judgment and of the reasons upon which the same is formed and the real value of the estate in lawful money subject to the incumbrance if any thereon; and if you or a majority shall determine that the estate can be divided in either of the ways hereinbefore mentioned without loss and injury to all parties then you shall cause the lands to be surveyed and laid out by the County Surveyor for the several parties; and if the estate shall be equally divided among all the parties interested according to their several just proportions then you or a majority of you shall allot to the several parties

their respective shares of the said lands: and you or a majority of you having made partition and allotment in manner aforesaid shall make return of your proceedings to the said Court without delay. Witness the Honorable Philemon B. Hopper Esquire Judge of the said Court the fifth day of May in the year eighteen hundred and fifty six
 Dated 24th day of July 1856 John Palmer Clerk

Commissioners Oath

Queen Anne's County to wit: On the 24th day of July 1856, personally appeared S. L. Knight, J. W. Perry, J. M. Seegar, G. B. Palmer & Phil: F. Cook before me the subscriber a Justice of the peace in and for said County and made oath on the Holy Evangelist of Almighty God that they will according to the best of their skill and judgment make the partition as directed by the foregoing Commission, and in all things truly and faithfully execute the powers given and performed the duties required of them by the said Commission, without favor or partiality to or prejudice or ill will against any whatever interested therein &

Sworn Before

Robt C. Baynard

and thereupon Stephen L. Knight, John W. Perry, J. M. Seegar, George C. Palmer and Philemon F. Cook the Commissioners named in the foregoing Commission make Return to the Court here of the execution of the said Commission in manner following to wit:

To the Honorable P. B. Hopper Judge of the Circuit Court for Queen Anne's County, The subscribers Commissioners appointed by a Commission issued out of the Circuit Court for Queen Anne's County and which is herunto annexed, do certify to your Honor that after having taken the oath annexed, to said Commission and given notice to the parties of the time and place of our meeting. We did in pursuance of said notice on the twenty eighth day of July last meet at the residence of John W. Clayton who occupied the land in the said Commission named and found the same to consist of parts of two tracts of land called Barbadoes Hall and Hit or Miss and to contain from the best information we could get two hundred and twenty seven acres more or less. They further report that there are no incumbrances on said land as far as these Commissioners could ascertain and that after carefully examining said land these Commissioners did adjudge and determine that it was not susceptible of division into any number of parts without loss and injury to the parties and they assign the following reasons for their judgment, that in consequence of the large quantity of land in branches and brushwood there is too little arable land to divide with advantage that there is also a great deficiency of timber on said Farm and the very shape of the land being narrow next to the Public Road and long in the opposite direction would make either of the two parts undesirable. They further adjudged the value of said land to be nineteen dollars per acre making the total valuation amount to Four Thousand three hundred and thirteen dollars, all which is respectfully submitted to your Honor by the undersigned Commissioners on this day of August eighteen hundred and fifty six under our hands and seals

Step L. Knight

John W. Perry

J. Seegar

G. B. Palmer

Phil. F. Cook

1856

1856

1856

1856

1856

And thereupon the following agreement was filed to wit:

I hereby consent to the final ratification of the Report of the Commissioners appointed to value and divide the Real Estate of Walter J. Clayton decd among his Heirs

Aug 14th 1856

Clinton Wright

To the Honorable P. B. Hopper Judge of the Circuit Court for Queen Annes County sitting in Equity, We John H. Clayton and Sallie Clayton two of the adult Heirs at law of Walter J. Clayton late of Queen Annes County deceased who died intestate, do hereby renounce any right of election we have or either of us may have to take the Real Estate of said Walter J. Clayton or any part thereof under the act of descents and pray that a sale thereof may be decreed by the Court for the purpose of dividing the proceeds thereof among his Heirs. As witness our hands & seals this twelfth day of August Eighteen hundred and fifty six.

Signed & Sealed in the presence of us

who hereby attest the same

John H. Clayton

Sallie C. Clayton

Clinton Wright, J. Boever Brown

To the Honorable P. B. Hopper Judge of the Circuit Court for Queen Annes County as a Court of Equity, I Julia Clayton one of the adult heirs at law of Walter J. Clayton late of Queen Annes County deceased who died intestate, do hereby renounce any right of election I have or may have to take the Real Estate of said Walter J. Clayton deceased or any part thereof under the act of descents and pray that a sale thereof may be decreed by the Court for the purpose of dividing the proceeds among his Heirs. As witness my hand and seal this twenty sixth day of July Eighteen hundred and fifty six.

Signed & Sealed in the presence of us,

who hereby attest the same

Julia Clayton

Wm. Ashton Evans, James Fisher

Know all men that we Benjamin Worth and Caroline Worth his wife formerly Clayton both of Kent County Maryland for divers good causes and considerations as thereto moving do hereby renounce any right of election which we have or either of us has or may have to take the whole or any part of the Real Estate of Walter J. Clayton late of Queen Annes County deceased and do recommend a sale thereof, As witness our hands and seals this first day of August eighteen hundred and fifty six.

Signed & Sealed in the presence of us

who hereby attest the same

Benjamin Worth William P. Smith

Benjamin B. Worth

Caroline Worth

State of Maryland Kent County, to wit: I hereby certify that on this first day of August 1856 before the subscriber one of the justices of the peace of the State and for the County aforesaid personally appeared Benjamin Worth and Caroline Worth his wife and did each acknowledge the foregoing deed to be their respective Act.

James Arthur

State of Maryland, Kent County, to wit: I hereby certify that James Arthur Esquire before whom the within acknowledgement was made and who hath subscribed his name thereto, was at the time thereof one of the justices of the peace in and for said County duly commissioned and sworn. In testimony I hereto subscribe my name & affix the seal of the Circuit Court for Kent County Md. this 4th day of August 1856

J. Finby Jordan

And afterwards, to wit: On the 30th day of August in the year last
aforesaid the Court passed the following Decree to wit:

John H. Clayton & others
vs
Walter S. Clayton & others
In Queen Annes County Circuit Court
on the Equity side thereof

This cause standing ready for hearing and being submitted without argument, the proceedings were read and considered. It is therefore this 26th day of August Eighteen hundred and fifty six by this Court and by the authority thereof adjudged ordered and decreed that the Real Estate of Walter S. Clayton deceased be sold for the purpose of dividing the proceeds of said sale among his Heirs at law: ~~that~~ Madison Brown of Queen Annes County be and he is hereby appointed Trustee to make said sale and that the course and manner of his proceedings shall be as follows; he shall first file in the office of the Clerk of this Court a bond to the State of Maryland executed by himself with a surety or sureties to be approved according to law in the penalty of five thousand dollars, conditioned for the faithful performance of the trust reposed in him by this Decree or that may be reposed in him by any future decree or order in the premises; he shall then proceed to make sale of said Real Estate having first given at least three weeks previous notice inserted in some newspaper printed in Queen Annes 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, Two hundred dollars of the purchase money cash on the day of sale and the residue thereof and interest thereon from the day of sale to be paid in three equal instalments of one, two, and three years, from the day of sale, the payments of ~~the~~ residue and interest to be secured by the bond of the purchaser with a surety or sureties to be approved by the Trustee and as soon as may be convenient after such sale, 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 as the ratification of the sale by the Court and 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, and to his or her Heirs, the property to him or her as then sold, free, clear and discharged of all claims of the parties to this cause, and of any person or persons claiming by force or under them; and the said Trustee shall bring into this Court the money arising on such sale and the Bond or Bonds 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 as may be allowed him for the skill, attention and fidelity with which he shall appear to have discharged his trust.

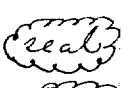
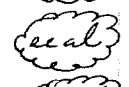
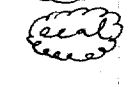
P. B. Hopper,

Therefore further process of and upon the premises aforesaid is further continued until the first Monday of November next, at which said first Monday of November in the year eighteen hundred and fifty six, comes into Court here the said John H. Clayton, Julia Clayton, Sallie Clayton, Benjamin North and Caroline his wife by their Solicitor aforesaid and thereupon Madison Brown the Trustee files in Court here the following Bond to wit:

Know all men by these presents that we, Madison Brown
William S. Parrott & Edward Hamilton of Queen Annes County Maryland

are held and firmly bound unto the State of Maryland in the full and just sum of Eight thousand dollars current money, to be paid to the said State of Maryland or its certain attorney: to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, Executors and administrators jointly and severally firmly by these presents sealed with our seals and dated this twenty ninth day of August Eighteen hundred and fifty six. Whereas by a Decree of the Circuit Court for Queen Anne's County bearing date on the twenty sixth day of August Eighteen hundred and fifty six and passed in a cause in said Court in which John B. Clayton and others are Complainants and Walter T. Clayton and others are Defendants, the above bound Madison Brown has been appointed Trustee to make sale of certain Real Estate in the proceedings in said cause mentioned. Now the Condition of the above obligations is such that if the above bounden Madison Brown do and shall well and faithfully perform the trusts reposed in him by said decree or that may be reposed in him by any future order or decree in the premises then the above obligations to be void, otherwise to be and remain in full force and virtue in law

Signed Sealed & delivered
in presence of
J. Brewer Brown

Madison Brown 
Wm. J. Parrott 
Edward Hamilton 

and afterwards on the seventh day of November in the year aforesaid Madison Brown Esquire the Trustee files in Court here his Report of Sale in the manner following to wit:

To the Honorable P. B. Cooper Judge of the Circuit Court for Queen Anne's County. The Report of Madison Brown appointed trustee by the Decree of this Court to make sale of the Real Estate of Walter T. Clayton deceased shows that after giving bond with security for the faithful discharge of his trust as required by said Decree and giving notice of the time, place, manner and terms of sale by advertisements in the Maryland Sentinel and Centerville Times two newspapers printed at Centerville in Queen Anne's County for more than three successive weeks before the day of sale and by handbills circulated in various parts of said County and elsewhere, he offered for public sale to the highest bidder in front of the Court House at Centerville on Tuesday the twenty first day of October Eighteen hundred and fifty six about two o'clock P. M. the Farm in the proceedings mentioned situate near Centerville on the north side of the public Road leading from Centerville to the Steamboat Landing and which was found by a survey previously made by James W. Thompson Esquire County Surveyor to contain two hundred and forty four acres one rood and twenty six perches of land more or less, a plat and Certificate whereof were exhibited at the time of said Sale and is herewith filed as part of this report and at said Sale William W. Bryan became the highest bidder and purchaser thereof at the price of twenty five dollars and fifty cents per acre, making the whole purchase money amount to the sum of six thousand two hundred and thirty two dollars and fifty one cents; that the said purchaser has paid to your Trustee two hundred dollars the cash payment required by said Decree and has given his single bill with William W. Bryan and Richard J. Larrison as his securities for the payment of the residue to wit six thousand thirty two dollars and fifty one cents payable in three equal instalments of one, two and three years from the date of Sale with interest from said time on each instalment as it falls due - And your Trustee further states that said Sale was

fairly made, in all respects and that he made a previous attempt to
 sale after advertising in sundry papers and that the property was struck off
 to an individual who was wholly unable to comply with the terms and
 who your Trustee is satisfied was wholly irresponsible. He further states that
 he has in hand the two Hundred dollars cash payment and the single bill aforesaid
 to be disposed of as the Court may direct, all which is respectfully submitted by
 Madison Brown Trustee

State of Maryland Queen Annes County Jc: On this 11th day of November 1856 before
 the Subscriber one of the justices of the peace of the State of Maryland in and for
 Queen Annes County personally appeared Madison Brown Trustee and made oath
 that the matters and things stated in the foregoing Report of Sale are true as
 therein stated and that said Sale was fairly made to the best of his knowledge and
 belief

Robt. G. Baynard J. P.

State of Maryland

Queen Annes County } Jc: I hereby certify that I have surveyed
 for Madison Brown Esq: Trustee, a tract of land, belonging to the heirs of
 Walter L. Clayton Decd. called by the names of "Hit or Miss" and "Barbades
 Hall" contained within the following metes and bounds, courses and distan-
 ces, to wit: Beginning in the Public Road from Centerville to Corvica Steamboat
 Landing opposite a large stone in the field marked 1741 and three and a
 half perches distant from the Road and running thence with the road North
 fifty three degrees thirty minutes, West seventy one perches and three quarters of a
 perch, thence North forty degrees East one hundred and seventy one perches
 and a half perch, North eighty degrees thirty minutes East seventy seven
 perches, South eighty five degrees East fourteen perches, North seventy six
 degrees thirty minutes East nine perches, North seventy one degree East twelve
 perches, North sixty eight degrees East eight perches, North seventy two degrees
 East ~~twelve~~ perches, South seventy six degrees East sixteen perches, South
 sixty degrees East six perches, South eighty two degrees thirty minutes East five
 perches, North sixty eight degrees East eight perches to the creek, then up the
 creek and Branch the following courses, South fifty six degrees thirty minutes,
 East six perches and a half perch, South twenty two degrees thirty minutes
 East six perches, South nine degrees, East five perches, South twenty two
 degrees thirty minutes East three perches, South thirty six degrees thirty
 minutes East twenty perches, South seventy one degrees East four perches,
 South thirty seven degrees East sixteen perches, South twelve degrees West
 twelve perches, South four perches, South thirty five degrees West twenty six
 perches and a half perch, North forty three degrees West eight perches, South
 forty seven degrees West nine perches, North sixty five degrees West eleven perch-
 es, South twenty four degrees West twelve perches, South seventy six degrees
 West nine perches, South thirty four degrees eight perches, North sixty eight
 degrees West five perches, South fifty four degrees West ten perches, South thir-
 ty five degrees West twelve perches, South forty five degrees West sixteen perches,
 South twenty five degrees West six perches, South five degrees West twelve
 perches, South sixty degrees West twelve perches, South eighty two degrees,
 West seven perches South fifty degrees West twenty perches, South eighty degrees
 West ten perches West eight perches, North eighty six degrees West eight perches,
 South seventy two degrees West five perches, South thirty eight degrees West
 twenty three perches, South nineteen degrees West six perches, South thirty
 seven degrees West six perches, South fifty three degrees West six perches,

South eight degrees West six perches, South forty four degrees West eight perches, South thirty six degrees West six perches, South fifty nine degrees West six perches, South thirty two degrees West four perches South four degrees, West ten perches to the road and then with the Road North fifty three degrees thirty minutes, West sixty two perches to the beginning, containing two hundred and twenty four acres, two roads and twenty three perches of land, I then surveyed another piece between the Branch and Mr Goldborough's fence as follows, Beginning in the road at the end of the last line but one of the foregoing survey, and running South fifty three degrees thirty minutes East nine perches and a half perch, thence with the fence the following courses. North thirty degrees thirty minutes East six ty eight perches, North sixty seven degrees forty five minutes East four perches, North forty eight degrees East three perches and one fifth of a perch, North eighty three degrees thirty minutes East eighteen perches, North fifty seven thirty minutes East twelve perches, North seventy one degrees thirty minutes East eight perches, South eighty degrees East nine perches and a quarter of a perch, North thirty two degrees East eight perches North fifty five degrees thirty minutes East fourteen perches, North sixty five degrees East four perches, North thirty eight degrees East fourteen perches, North twenty four degrees East eight perches, North sixty one degrees thirty minutes, East fourteen perches, North forty three degrees East sixteen perches, and North sixty three degrees East forty eight perches and thence to the end of the twenty first line of the foregoing survey and thence with the Branch line to the Beginning, Containing nineteen acres, three roads and three perches of land

James W. Thompson
 Surv. of L. A. Co
 Sept. 22nd 1836

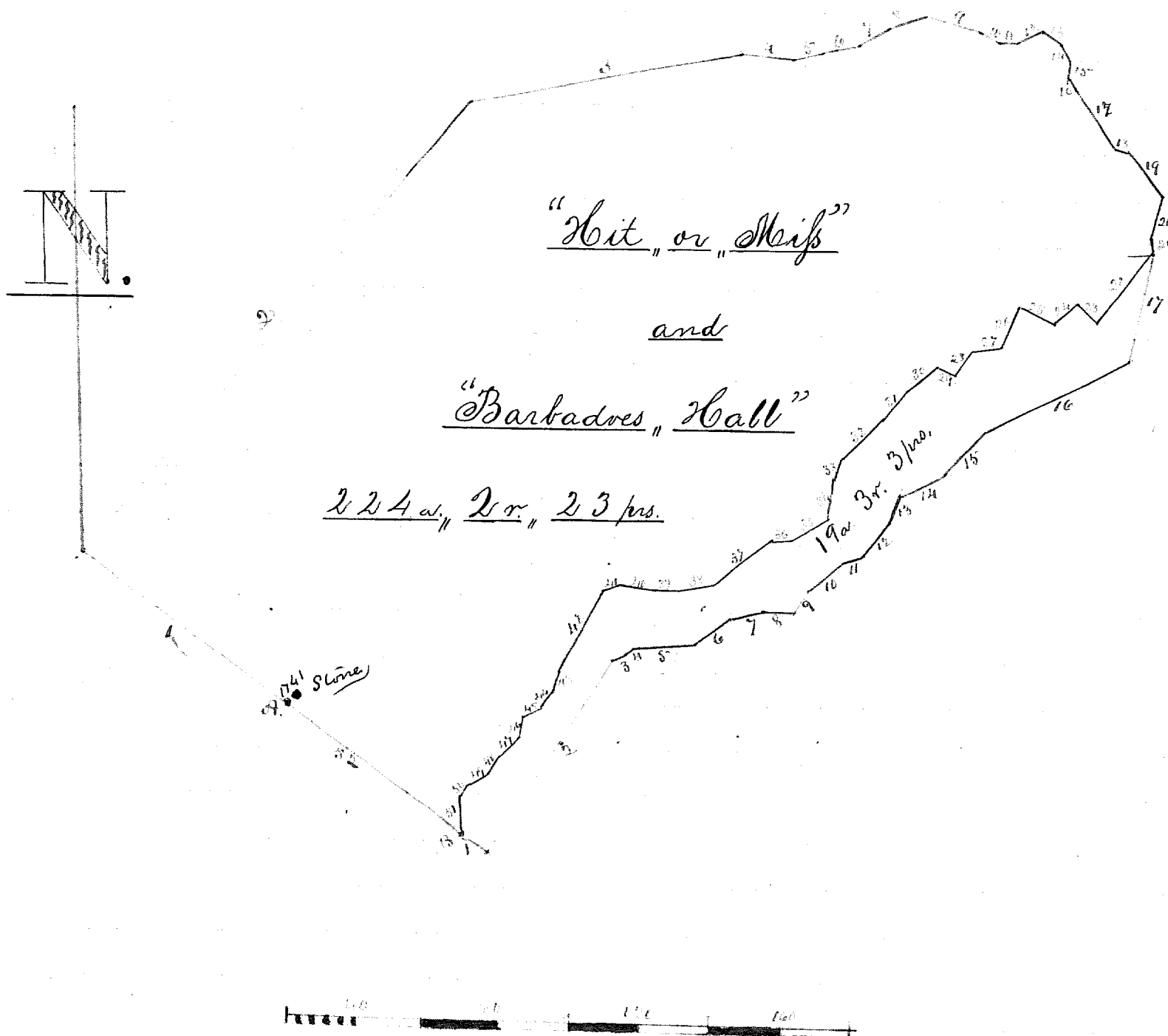


Table of Courses & distances						Courses and distances of that part between the Branch and Dr. Holdsbrough fence, beginning at the end of the 51 st line in the Public Road where the stream crosses the Road and runs as follows:-
S.	Bearings	Distances	S.	Bearings	Distances	
1.	N. 53° 30' W.	7 1/4 pms	27.	S. 76° W.	9 pms	
2.	N. 40° E.	17 1/2 "	28.	S. 34° W.	8 "	
3.	N. 80° 30' E.	77 "	29.	N. 68° W.	5 "	
4.	S. 85° E.	14 "	30.	S. 54° W.	10 "	
5.	N. 76° 30' E.	9 "	31.	S. 35° W.	12 "	
6.	N. 71° E.	12 "	32.	S. 45° W.	16 "	
7.	N. 68° E.	8 "	33.	S. 25° W.	6 "	
8.	N. 72° E.	11 "	34.	S. 5° W.	12 "	
9.	S. 76° E.	16 "	35.	S. 60° W.	12 "	
10.	S. 60° E.	6 "	36.	S. 82° W.	7 "	
11.	S. 80° 30' E.	5 "	37.	S. 50° W.	20 "	
12.	N. 68° E.	8 "	38.	S. 80° W.	10 "	
13.	S. 56° 30' E.	6 1/2 "	39.	West.	8 "	
14.	S. 22° 30' E.	6 "	40.	N. 86° W.	8 "	
15.	S. 9° E.	5 "	41.	S. 72° W.	5 "	
16.	S. 23° 30' E.	3 "	42.	S. 38° W.	23 "	
17.	S. 36° 30' E.	20 "	43.	S. 19° W.	6 "	
18.	S. 71° E.	4 "	44.	S. 37° W.	6 "	
19.	S. 37° E.	16 "	45.	S. 53° W.	6 "	
20.	S. 12° W.	12 "	46.	S. 8° W.	6 "	
21.	South.	4 "	47.	S. 44° W.	8 "	
22.	S. 35° W.	26 1/2 "	48.	S. 36° W.	6 "	
23.	N. 43° W.	8 "	49.	S. 59° W.	6 "	
24.	S. 47° W.	9 "	50.	S. 32° W.	4 "	
25.	N. 65° W.	11 "	51.	S. 4° W.	10 "	
26.	S. 24° W.	12 "	52.	N. 53° 30' W.	6 2 "	
22.4a, 20r. 23 pms.						19a, 3a, 3 pms.

James H. Thompson
 Suror of L. A. County,
 Sept. 22nd 1856

And thereupon the Court passed the following Order to wit:
 Conditional Order of Ratification. Ordered that the Report of the Sale of the Real Estate of Walter J. Clayton deceased made by Madison Brown Justice be ratified and confirmed unless cause to the contrary be shown on or before the first day of March next: provided a Copy of this Order be inserted in some newspaper published in Queen Anne's County once a week for three successive weeks before the first day of January next. The Report states the amount of sales to be \$6232.51

Nov 11. 1856

Thereupon further process of and upon the premises aforesaid, ^{is further explained} by regular continuances until term to term of the said Court until the first Monday of May in the year eighteen Hundred and fifty six. At which said first Monday of May in the year last aforesaid comes into Court here the said John H. Clayton, Julia Clayton, Sallie Clayton, Benjamin North and Caroline his wife

John Palmer Clerk

by their Solicitors aforesaid, and thereupon the Court passed the following Order to wit:

John H. Clayton + others
 as
 Walter J. Clayton + others

In the Circuit Court for Queen Anne County
 as a Court of Equity,

Ordered that the sale made and reported by Madison Brown Trustee in this cause be and the same is hereby ratified and confirmed, No cause to the contrary having been shown altho notice appears to have been given as directed by a previous Order - and further ordered that the said Trustee be allowed for expenses not personal the sum of Fifty six dollars and twenty five and for his commissions the sum of two hundred and seventeen dollars

P. B. Hopper.

Thereupon further process of and upon the premises aforesaid is further continued by regular continuances from time to time of the said Court until the fourth Monday of January in the year eighteen Hundred and sixty five at which said fourth Monday of January in the year last aforesaid, comes into Court here the said John H. Clayton Julia Clayton, Sallie Clayton, Benjamin Worth and Caroline his wife come into Court here by their Solicitors aforesaid and thereupon Philemon B. Hopper Esquire files in Court here the following Report and accompanying Account to wit:-

John H. Clayton + others
 as
 Walter J. Clayton + others

In the Cir Court for Queen A. Co. sitting
 as a Court of Equity.

To the Hon J. W. Robinson Judge.

The Auditor respectfully reports that he has examined the proceedings in this Cause and has therefrom prepared the following Account between the Real Estate of Walter J. Clayton deceased and M. Brown Esq Trustee for the sale thereof; in which he has allowed to the Trustee his Commissions and expenses as ascertained by order of the Court, to the trustee a bill of taxes paid by him, to the complainants and Defendants each their costs of suit and to the Auditor his fee - The balance he distributed among the heirs ab law according to their several interests in the Real Estate as set forth in the Bill of complaint. The Shares allotted to John H. Clayton, Julia Clayton, Sallie E. Clayton, and Walter J. Clayton are subject to assignments, orders &c given by them on their part of the fund and which the Trustee holds, also to payments made to them by trustee before audit, the share allotted to Caroline Worth is subject to assignments and orders given by herself & husband, and the shares of Robert Wright and Bennett Wright as also the shares of Mary Clinton and Sallie are subject to assignments ^{made} by the Trustee to their Guardians, all of which is submitted.

P. B. Hopper
 Auditor April 24, 1865

That The Real Estate of Walter J. Clayton decd. is acct with Madison Brown Trustee for the Sale thereof.

1856

To the Trustee for his Commissions	217	00
To the Trustee for his Expenses	56	25
To the Trustee for bill of taxes paid P. J. Cook	30	60
To the complainants for their costs of suit		

as per Bill of same made by clerk and filed		102	76
To the Defendants for their costs of suit			
as per bill of same made by clerk and filed		19	45
To the Auditor for his fee		4	57
		430	57 2/3
To John H. Clayton son of deceased		828	85 7/8
To Julia Clayton daughter of deceased		828	85 7/8
To Sallie Clayton " " "		828	85 7/8
To Caroline Worth " " "		828	85 7/8
To Walter T. Clayton only heir of a deceased son		828	85 7/8
To Bennetta Wright only heir of a deceased daughter -		828	85 7/8
To Robert Wright one of four heirs of a deceased "		207	21 1/2
To Mary Wright " " " " "		207	21 1/2
To Clinton Wright " " " " "		207	21 1/2
To Sallie Wright " " " " "		207	21 1/2
	Fraction		1/3
		6232	51

1856 21 Oct.	By amount of proceeds of sale as per Trustees report of same filed		6232	51
			6232	51

P. B. Hopper Auditor
April 31 1865.

Thereupon further process of and upon the premises aforesaid is further continued until the first Monday of May next, at which said first Monday of May in the year Eighteen Hundred and sixty five comes into Court here the said John H. Clayton, Julia Clayton, Sallie Clayton, Benjamin Worth and Caroline his wife by their Solicitor John B. Brown Esquire and thereupon the Court passed the following Order to wit:

In the Circuit Court for Queen Anne's County in Equity - May Term 1865.
Ordered that the foregoing Report of the Auditor be and the same is hereby ratified and confirmed and the trustee is directed to apply the proceeds accordingly with a due proportion of interest on the Trustees expenses and taxes paid by him and claims subject to an allowance thereon to John B. Brown attorney for the said trustee of five per cent on all sums collected by him by suit for unpaid purchase money

Ino. M. Robinson,

In the matter of the petition
of Charles C. Brown for the
division of the Real Estate of
Charles C. Brown

Queen Anne's County to wit: Be it remembered
that at a Circuit Court begun and held at Cen-
treille in and for Queen Anne's County on the first
Monday of May in the year eighteen hundred and
thirty six Charles C. Brown by Richard B. Carmichael
Esquire his attorney preferred his petition to the Judges of the said County in the follow-
ing words, to wit: To the Honorable the Judges of Queen Anne's County Court. The pe-
tition of Charles C. Brown respectfully sheweth that his father Charles C. Brown died
intestate & seized of sundry lands and tenements lying and being in Queen Anne
County that is to say a tract or part of a tract of land called Bennetts Choice,
and a tract and a tract or part of a tract of land called "Layers Forest" also a
tract or part of a tract of land called "Harvard" and left the following children
his heirs at law, to wit: your petitioner, Mary, Sarah, Ellen & Robert Brown;
and the said Robert Brown is a minor. That the said Sarah in her lifetime
intermarried with Bennett Mitchell and died leaving the following infant
children her heirs at law to wit: Charles, Maria & Louisa Mitchell. that Ellen
Brown hath intermarried with Thomas Willson, wherefore because the chil-
dren and heirs of the said Sarah Mitchell formerly Sarah Brown are minors and
because the other parties interested in the estate are not able to agree upon
a division thereof, your petitioner prays, that a Commission may issue to
agreeably to the provisions of the Act of Assembly in such case made and
provided to five sensible and discreet men to be commissioners authorizing
and empowering them to proceed in the premises, according to law and
divide and make partition of the said estate, fairly and equally in value
between all the parties concerned according to their just proportions: and
your petitioner will &c

Rich^d B. Carmichael for petitioner,

Whereupon in pursuance of the act of assembly entitled "an act to direct
descents" the said Court appoint William Mason, Valentine Bryan, Robert
B. A. Tate, Charles C. Tilghman and William H. D^e Coursey five discreet
and sensible men; which said Commission accordingly issues as follows
(The said Court appoints Martha F. Brown Guardian ad litem to the minor
named in the petition.)

Queen Anne's County, to wit: The State of Maryland to William Mason, Valen-
tine Bryan, Robert B. A. Tate, Charles C. Tilghman and William
H. D^e Coursey of Queen Anne's County, Gentlemen: Greeting: Whereas
at a County Court begun and held at Centreille in and
for Queen Anne's County on the first Monday of November in
the year of our Lord one thousand eight hundred and thirty
five a certain Charles C. Brown of said County preferred his petition to the
said Court sitting forth and alledging that his father Charles C. Brown
late of Queen Anne's County "died seized of sundry lands and tenements lying
and being in Queen Anne's County that is to say a tract or part of a
tract of land called "Layers Forest" and a tract or part of a tract of land
called Bennetts Choice, and leaving a widow Martha F. Browne and the follow-
ing children his heirs at law to wit: your petitioner Mary, Sarah, Ellen and Robert
Browne - That the said Sarah in her lifetime intermarried with a certain Bennett
Mitchell and died leaving the following infant children her heirs at law to wit:
Charles, Maria and Louisa Mitchell that Ellen Browne hath intermarried
with Thomas Willson wherefore because the children and heirs of said Sarah Mich-
ell formerly Sarah Browne are minors and because the other parties interested

in the estate are not able to agree upon a division thereof" and prayed the Court that a Commission may issue agreeable to the act of Assembly in such case made and provided to five discreet and sensible men to make a division of the same, which prayer hath been granted; and the said Court having great confidence in your prudence and integrity have appointed you to be Commissioners in the premises and have given you or a majority of you full power, having first taken the oath hereto annexed, to enter upon the premises and adjudge and determine whether the said estate will admit of being divided without loss and injury to all the parties entitled; and to ascertain the value of the said estate in current money, taking in consideration any incumbrances thereon, and to ascertain the value of the estate subject to the incumbrance and if the said estate can in your opinion and judgment of a majority of you be divided without loss or injury to all the parties interested, then to divide and make partition of the same, fairly and equally between all the parties interested, according to their several just proportions, or if the said estate cannot be divided equally and fairly between all the parties interested, according to their several just proportions then you or a majority of you shall divide the estate in as many parts as it is susceptible of, without loss and injury to all the parties entitled, and ascertain the value of each part of such estate in current money subject to any incumbrance thereon, and if in your opinion and judgment or in the opinion and judgment of a majority of you it cannot be divided without loss and injury to all the parties, then you or a majority of you shall make return to the said County Court of your judgment and the reasons upon which the same was founded, and the real value of the said estate in current money subject to the incumbrance, if any, thereon, and if you or a majority of you shall determine that the said estate can be divided in either of the ways herein before mentioned, without loss and injury to all parties, then you shall cause the lands to be surveyed and laid out by the County Surveyor in case the said estate consists of lands, and if the said estate shall be equally divided between all the parties interested according to their several just proportions, then you or a majority of you shall allot to the several parties their respective shares of the said land, and in case the said estate the said estate shall consist of houses you or a majority of you shall make allotment and partition between the parties; and you or a majority of you are hereby empowered and directed to ascertain and lay off the widows dower in and to the lands and premises of estate, before you shall proceed to divide or value the same, and you or a majority of you shall make the ascertainment and location of such dower a part of your return to this Commission and you or a majority of you shall cause notices to be given to all parties concerned by advertisement set up at the Court house door, and in such other public places in said County as you may direct, at least thirty days previous to your proceeding to execute this Commission, and you or a majority of you are appointed Commissioners to proceed in the premises according to the directions of "an act of the General Assembly of Maryland, passed at December session 1820 Chapter 191 entitled an act to reduce into one system the Laws to direct descents." And you or a majority of you, having made partition or allotment in manner aforesaid, shall make return of your proceedings to the next County Court thereafter. Witness the Honorable Eschiel F. Chambers Chief Judge of the said Court the second day of May in the year of our Lord one thousand eight

hundred and thirty six

A. B. C. Issued the 14th day of May 1836

Dns Tilghman & Co

Commissioners Oath

Be it remembered that on this 15th day of June in the year eighteen hundred and thirty six personally appeared William Grason, Valentine Bryan, Robert B. A. Tate, Charles C. Tilghman & Wm. H. P. Coursey before the subscribers one of the justices of the peace in and for Queen Anns County and severally made oath on the Holy Evangelly of Almighty God that they would well and faithfully perform all the duties required of them by the annexed Commission, and all duties required of them under the act of Assembly therein referred to, and that they will proceed in the execution and completion of the said Commission without favor or partiality or prejudice according to the best of their judgment and understanding

Sworn before

Edw. H. Coursey.

Thereupon further process of and upon the premises aforesaid is further continued until the first Monday of November next at which said first Monday of November in the year eighteen Hundred and thirty six comes into Court here the said Charles C. Browne by his Solicitor aforesaid, and thereupon the commissioners aforesaid make return to the Court of their proceedings under the Commission aforesaid in the manner following to wit:

The subscribers, appointed by the Honorable Judges of Queen Anns County Court, commissioners to value and divide the Real Estate of Charles C. Browne late of Queen Anns County, consisting of sundry tracts of land, lying in said County, proceeded to discharge their duties according to the Commission of said Court, and to the directions of the act of Assembly passed at December Session 1820, Chapter 191, after giving notice to the parties concerned, by advertisement at the Court house door and ather, and ather public places, and taking the oath annexed to said Commission, according to said Act of Assembly they in Company with Arthur Emory Surveyor of said County, on the 15th of June 1836 entered upon the said lands. After the most careful examination, the Commissioners adjudged and determined that the said estate could not be divided among all the parties mentioned in said Commission, without loss and injury to all the parties concerned; but that it might without such loss and injury be divided into three parts, which were laid off according to the lines and boundaries described in the certificate of the Surveyor, accompanying their report, and valued at the respective sums herein mentioned. The first part No 1 on the plot on which the family mansion stands, containing two hundred and sixty two acres of land, was laid off for the widows dower, and valued at twenty dollars per acre, subject to such dower. The second part described as No 2 on the plat, contains three hundred and seventy nine acres of land, and is valued at the sum of twenty dollars per acre. The third part No 3 on the plat, contains two hundred and fifty one acres of land, and is valued at the sum of twenty six dollars per acre. This last part as well as No 2, is clear of all incumbrances, while the first part is subject only to the Widows dower. The Commissioners have valued part of a tract of land called Sawyers Forest, being a lot of woodland containing thirty four and a half acres, at the sum of five dollars per acre, and have allotted it to go with the part No 3, as being most convenient to that part, and as not being susceptible of division among the three parts. In testimony whereof the Commissioners have hereunto set their hands and seals this ninth day of November in the year eighteen hundred and thirty six.

W^m Crason
 Valentine Ryan
 Robt A. Tate
 Chas. C. Tilghman.

I hereby certify that at the request and by the directions of the Commissioners appointed by Queen Ann's County Court to divide the real estate of the late Charles Brown, we in the first place ascertained the variation proper to be allowed, viz $1^{\circ} 15'$. We in the second place proceeded to the laying off of the dower, by running the following divisional lines, viz: Beginning at a locust post placed in the ground by the said Commissioners on back Wye River supposed by them to be at the end of 42 perches on the 25th line of the tract of land called Bennetts Choice as per lines furnished by the Commissioners - and running thence North thirty four degrees East forty five perches thence North eighty degrees East eleven perches + six tenths of a perch, thence South sixty seven degrees fifteen minutes East ninety four perches to a stone placed at the side of the road leading through said land - thence North twenty four degrees + thirty minutes East one hundred and thirty seven perches thence North fifty five degrees + fifteen minutes West thirty perches and seven tenths of a perch to intersect the main branch of back Wye River supposed to be at the end of 61 perches on the 14th line of Bennetts Choice aforesaid which cuts off one hundred fifty six + one half acres of Bennetts Choice + forms Division No 1. We then commenced at a post on the main branch of back Wye River at a place called the Beaver Dam and run by end with a fence so to be established between the s^r. Charles Brown and a certain - South sixty six degrees and fifteen minutes West three hundred and eighteen perches to another Branch of Wye River, which with the lines furnished me by said Commissioners + the home line from said furnished lines to the end of said furnished line contains one hundred, five + a half acres, called Neglect which two together forms the dower of W^m Brown. We then began at a post placed in the ground by said Commissioners on Wye River supposed to be on the 28th line of Bennetts Choice + run the following divisional lines viz: South seventy five degrees + thirty minutes East seventy eight perches, thence South fourteen degrees West seven perches thence South seventy five degrees thirty minutes East twelve perches, thence North fourteen degrees East seven perches, thence South seventy five degrees + thirty minutes East one hundred eight perches + seven tenths of a perch to a point on a stream supposed to be at the end of 58 perches on the South $38\frac{3}{4}$ degrees West line of Robert Brown's part of Bennetts Choice as per lines furnished by Commissioners which said lines divide the remainder of the tract called Bennetts Choice into two divisions denominated by me Division No 2 + 3, the former containing three hundred and seventy nine acres - the latter containing two hundred + fifty one acres - the above were the only lines run by me; the other lines were taken from old survey + deeds - and having run from supposed points, I cannot vouch for the minute accuracy of the following lines metes + bounds. Dower Lines of Neglect. Beginning at the place where the fence crosses the water + running from thence North sixty six degrees + fifteen minutes East three hundred and eighteen perches thence South forty one degrees forty five minutes West thirty four perches, thence South twenty seven degrees forty five minutes West fifty two perches thence South forty five degrees forty five minutes West thirty perches, thence South twenty two degrees West fourteen perches, thence South thirty three degrees forty five minutes West fourteen perches, thence South eighty three

degrees forty five minutes, West twenty seven perches, thence South forty eight degrees forty five minutes West twenty six perches, thence South eight degrees forty five minutes West thirty perches, thence South seventy five degrees forty five minutes West fifty perches, thence South twenty five degrees fifteen minutes East twenty perches, thence South twenty two degrees forty five minutes West twenty perches thence North eighty one degrees fifteen minutes West twenty four perches, thence North twenty degrees forty five minutes East forty perches thence North sixty one degrees fifteen minutes West eleven perches thence North forty four degrees forty five minutes East thirty one perches thence North sixty four degrees fifteen minutes West thirty nine perches thence South seventy six degrees forty five minutes West sixty four perches from thence with a straight line to the beginning containing one hundred & five and a half Acres be the same more or less, Division No 1 Beginning at a locust post placed in the ground by said Commissioners on back Wye River supposed by them to be at the end of 48 perches on the 25th line of the tract of lands called Bennetts Choice as per lines furnished by the Commissioners and running thence North thirty four degrees East forty five perches thence North eighty degrees East eleven perches & six tenths of a perch, thence South sixty seven degrees fifteen minutes East ninety four perches to a stone placed at the side of the road leading through said farm thence North twenty four degrees & thirty minutes East one hundred and eighty seven perches thence North fifty five degrees & fifteen minutes West thirty perches & seven tenths of a perch to intersect the main branch of back Wye River thence South fifty degrees & forty five minutes West one hundred & forty nine perches, thence North five degrees & fifteen minutes West fifty six perches, thence North forty three degrees & fifteen minutes West eighteen perches, thence South fifty nine degrees forty five minutes West thirty four perches thence South eighteen degrees fifteen minutes East ten perches thence South seventy one degrees forty five minutes West sixty six perches, thence South twenty five degrees & forty five minutes West twenty perches, thence South nineteen degrees fifteen minutes East eighteen perches, thence North eighty four degrees forty five minutes East eleven perches, thence South twelve degrees fifteen minutes East fifty two perches thence South twenty five degrees forty five minutes West twenty perches from thence with a straight line to the beginning containing & now laid out for one hundred and fifty six and one half Acres, Division No 2 Beginning at a post placed in the ground by said Commissioners on Wye River supposed to be on the 28th line of Bennetts Choice & running from thence South seventy five degrees & thirty minutes East seventy eight perches, thence South fourteen degrees West seven perches, thence South seventy five degrees & thirty minutes East twelve perches, thence North fourteen degrees East seven perches thence South seventy five degrees & thirty minutes East one hundred and eight perches & seven tenths of a perch, thence North thirty eight degrees & forty five minutes East fifty eight perches, thence North thirty six degrees East sixty three perches, thence South twenty six degrees fifteen minutes East nineteen perches, thence North thirty four degrees forty five minutes East eighty one perches thence North twelve degrees thirty minutes West one perch, thence South eighty eight degrees forty five minutes West twenty two perches, thence North twelve degrees thirty minutes West one Hundred and forty eight perches thence North twenty eight degrees fifteen minutes West ninety four perches, thence North sixty degrees fifteen minutes West eight perches, thence South twenty nine degrees & forty five minutes West sixty six perches, thence South fifty degrees forty five minutes West sixty one perches, thence South fifty five degrees fifteen minutes East thirty perches & seven tenths

of a perch thence South twenty four degrees thirty minutes West one hundred & eighty seven perches, thence North sixty seven degrees fifteen minutes West ninety four perches, thence South eighty degrees west eleven perches & six tenths of a perch, thence South thirty four degrees West forty five perches, thence South seventy nine degrees fifteen minutes East six perches, thence South three degrees forty five minutes West sixteen perches, thence South eighty one degrees fifteen minutes East ten perches, from thence with a straight line to the Beginning containing & now laid out for three hundred and seventy nine acres more or less. Division No 3. Beginning at the aforesaid post planted on the 28th line of Bennetts bhowie & running from thence South seventy five degrees & thirty minutes East seventy eight perches thence South fourteen degrees West seven perches thence South seventy five degrees & thirty minutes East twelve perches, thence North fourteen degrees East seven perches, thence South seventy five degrees & thirty minutes East one hundred ^{eight} and seven tenths perches, thence South thirty eight degrees & forty five minutes West fifty one perches thence South eight degrees fifteen minutes East one hundred & twenty eight perches, thence North thirty two degrees fifteen minutes West twenty six perches, thence South fifteen degrees and forty five minutes West fifty four perches, thence South forty three degrees & forty five minutes West one hundred & twenty perches, thence North fourteen degrees & fifteen minutes West one hundred & twenty two perches, thence North sixty nine degrees fifteen minutes West eighteen perches, thence South fifty three degrees & forty five minutes West eighteen perches, thence North thirty nine degrees fifteen minutes West fifty eight perches, thence North eight degrees fifteen minutes West ten perches thence North fifty four degrees & forty five minutes East eighty perches, thence North two degrees fifteen minutes West fifty eight perches, thence South seventy nine degrees forty five minutes West seven perches, thence North thirty two degrees fifteen minutes, West thirty perches, thence North eighty six degrees fifteen minutes West eighteen perches, thence North thirty five degrees & forty five minutes East twenty four perches, from thence with a straight line to the Beginning containing two hundred and fifty one Acres.

July 10th 1836.

A. Emory Surveyor.

1st N 66 1/2 E 318 pr
 2nd S 41 3/4 W 34 "
 3rd S 27 3/4 W 52 "
 4th S 45 3/4 W 30 "
 5th S 22 3/4 N 14 "
 6th S 33 3/4 W 14 "
 7th S 53 3/4 W 27 "
 8th S 40 3/4 W 26 "

No 1.
 1st N 32 E 45 pr
 2nd N 88 E 146 "
 3rd S 69 1/2 E 94 "
 4th N 24 1/2 E 189 "
 5th N 55 1/2 W 307 "
 6th S 50 3/4 W 149 "
 7th N 5 1/4 W 50 "
 8th N 43 1/4 W 18 "
 9th S 59 3/4 W 34 "
 10th S 18 1/4 E 10 "
 11th S 71 3/4 W 66 "
 12th S 25 3/4 W 20 "
 13th S 19 1/4 E 18 "
 14th N 84 3/4 E 11 "
 15th S 12 1/4 E 52 "
 16th S 25 3/4 W 20 "
 17th to the Beginning
 Containing 156 1/2 acres.

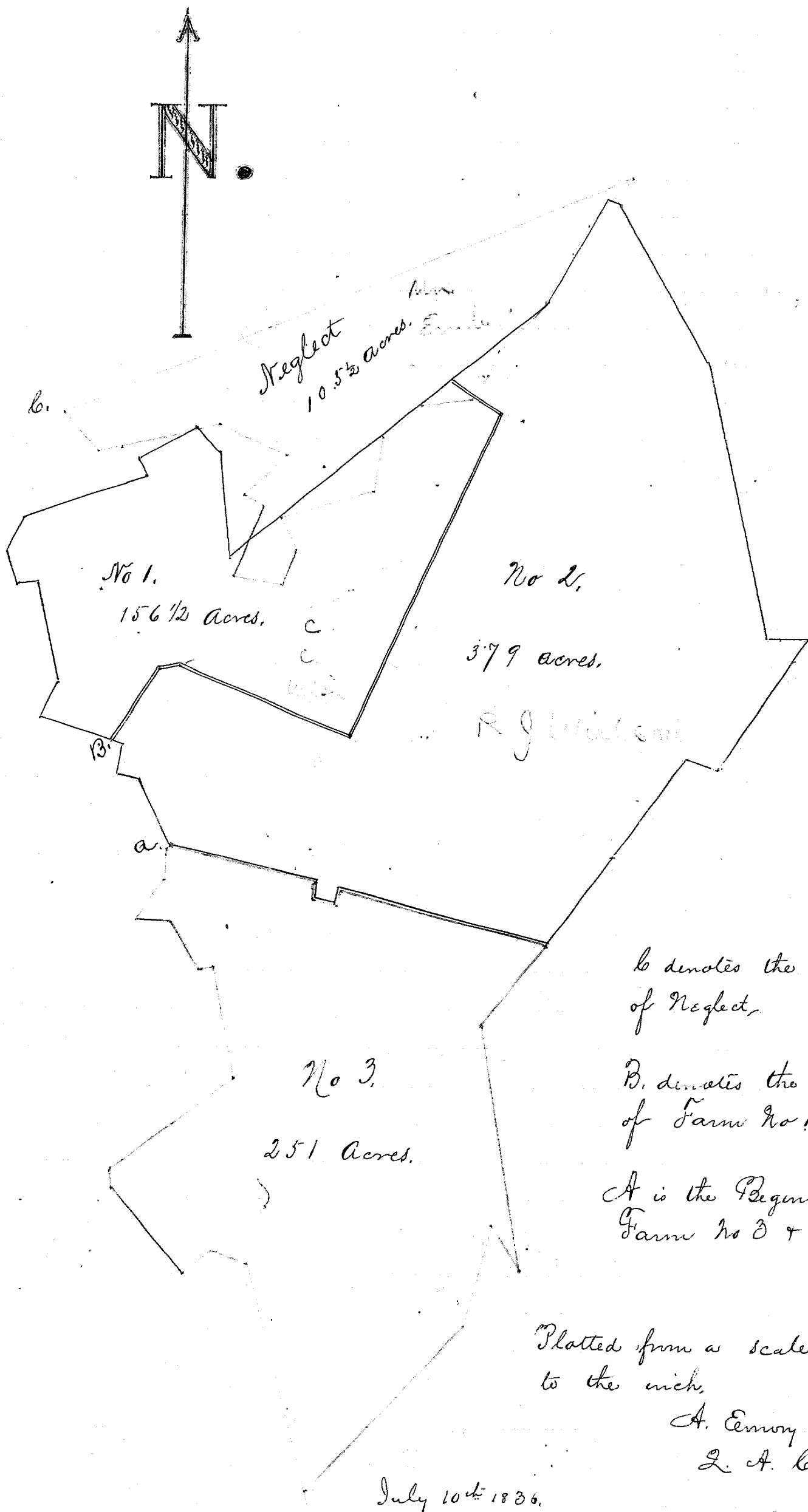
Neglect.
 9 S 3 3/4 W 30 pr
 10th S 75 3/4 W 50 "
 11th S 25 1/4 E 20 "
 12th S 22 3/4 W 20 "
 13th N 81 1/4 W 24 "
 14th N 20 3/4 E 40 "
 15th N 61 1/4 W 11 "

No 2.
 1st S 75 1/2 E 78 pr
 2nd S 14 W 7 "
 3rd S 75 1/2 E 12 "
 4th N 14 E 7 "
 5th S 75 1/2 E 1089 "
 6th N 38 3/4 E 58 "
 7th N 36 E 63 "
 8th S 76 1/4 E 19 "
 9th N 34 3/4 E 81 "
 10th N 12 1/2 W 1 "
 11th S 88 3/4 W 22 "
 12th N 13 1/2 W 148 "
 13th N 28 1/4 W 94 "
 14th N 16 1/4 W 8 "
 15th S 29 3/4 W 66 "
 16th S 50 3/4 W 61 "
 17th S 55 1/4 E 307 "
 18th S 24 1/2 W 187 "
 19th N 67 1/2 W 94 "
 20th S 80 W 116 "
 21th S 34 W 45 "
 22th S 79 1/4 E 6 "
 23th S 3 3/4 W 16 "
 24th S 81 1/4 E 10 "
 25th to the Beginning
 Containing 379 acres.

16th N 44 3/4 E 31
 17th N 64 1/4 W 39
 18th S 76 3/4 W 64
 19th to the beginning
 Containing 105 1/2 acres

No 3.
 1st S 75 1/2 E 78 pr
 2nd S 14 W 7 "
 3rd S 75 1/2 E 12 "
 4th N 14 E 7 "
 5th S 75 E 1087 "
 6th S 38 3/4 W 51 "
 7th S 8 1/4 E 128 "
 8th N 32 1/4 W 26 "
 9th S 15 3/4 W 54 "
 10th S 43 3/4 W 120 "
 11th N 14 1/4 W 122 "
 12th N 69 1/4 W 18 "
 13th S 53 3/4 W 18 "
 14th N 39 1/4 W 58 "
 15th N 8 1/4 W 10 pr
 16th N 54 3/4 E 80 "
 17th N 10 1/4 W 58 "
 18th S 79 3/4 W 7 "
 19th N 32 1/4 W 30 "
 20th N 86 1/4 W 18 "
 21th N 35 1/4 E 24 "
 22th to the Beginning
 Containing 251 acres.

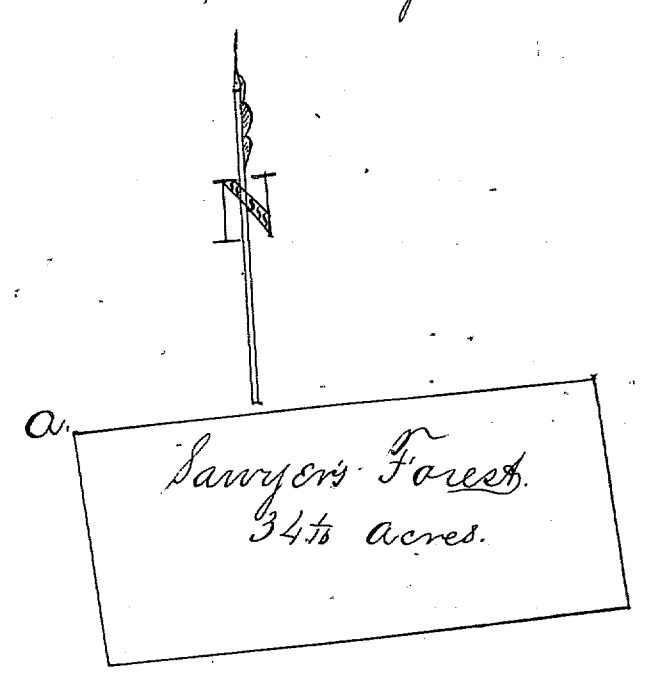
A. Emory
 Surv.



The following are the lines of a tract or parcel of land belonging also to the heirs of the late Charles Brown called Sawyers Forest taken from the deed given by Solomon Scott Sheriff of L. A. County to the said Charles Brown, Beginning at a red oak standing on the South Eastern side of the farm and near the fence of the same which was held and occupied by a certain Alexander Walters & running thence North eighty seven degrees East one hundred & nine perches, thence South three degrees East fifty perches, thence South eighty seven degrees West one hundred & nine perches from thence with a straight line to the Beginning containing thirty four acres and one sixteenth of an acre.

A. Emory.

- 1st N. 87° E 109 p^{rs}
 - 2nd S. 3° E 50 "
 - 3rd S. 87° W 109 "
 - 4th — to the Beginning
- Containing 34 1/16 Acres



A denotes the Beginning plotted by a scale of 40 p^{rs} to the inch.
A. Emory.

Thereupon further process of and upon the premises aforesaid is further continued until the first Monday of May next, at which said first of May in the year Eighteen Hundred and thirty seven comes into Court here the said Charles C. Brown by his Solicitor aforesaid, whereupon the said Return being made and considered by the Court it is ordered and adjudged by the said Court that the judgment of the Commissioners and the Return aforesaid be ratified and confirmed, and it was also ordered by the Court that the said Charles C. Brown being the first person entitled to elect may elect to take the said Real Estate at the valuation set on it by the Commissioners and pay to the other persons entitled their respective proportions of the value thereof in money. Whereupon the said Charles C. Brown comes into open Court here in his proper person and elects to take that part of the Real Estate designated and described in the return made by the Commissioners as Lot No 3 at the valuation set thereon by the Commissioners and pay to the other persons entitled their respective proportions of the value thereof in money and refuses to take any other part of the Estate at the valuation set thereon by the Commissioners, Whereupon the Court here passed the following Order to wit:

Whereas Charles C. Brown of Queen Anne's County and State of Maryland, did heretofore prefer a petition to Queen Anne's County Court, setting forth that his father Charles C. Brown departed this life intestate & seized of divers tracts of land & premises lying in the County aforesaid and left several persons his heirs at law as stated in the said petition; and prayed that a Commission might issue to five discreet persons to make partition amongst his heirs of the estate of the said Charles C. Brown dec'd: agreeably to the acts of Assembly in such cases made and provided and whereas a Commission did issue to five persons agreeably to the said Acts of Assembly, to make partition as aforesaid of the said lands and premises, and the said Commissioners have made their Return to the Court of the County aforesaid, at the November Term eighteen hundred and thirty six, of said Court, setting forth ^{that} in their opinion the said premises could be divided, without loss and injury to the several persons

concerned, into three separate parts as will appear by their Report and have estimated the value of the said ~~lots~~ in current money and whereas the said commission and return have been ratified by the said Court and the said Charles C. Brown the petitioner, who is first entitled to the election, has chosen and elected to take Lot No 3 at the valuation of the said Commissioners. It is therefore ordered that the said Charles C. Brown give bond to the State of Maryland in the penal sum of thirteen thousand three hundred and ninety seven dollars, conditioned for the payment of six thousand six hundred and ninety eight and fifty cents, (the valuation of the said lot No 3) to the heirs of the said Charles C. Brown deceased in the following manner to wit:

To Mary Brown	\$1339.70
To Ellen Willson formerly Brown wife of Thos. S. Willson	1339.70
To Robert Brown which said Robert Brown is not yet quite of age	1339.70

three equal instalments of six twelve and eighteen months with interest on each of the said sums from the first day of January eighteen hundred and thirty eight and that he has given bond as aforesaid in condition for the payment of the following sums to the infant children of his deceased sister Sarah Mitchell formerly Sarah Brown to wit:

To Charles Mitchell	\$446.56 2/3
To Maria Mitchell	446.56
To Louisa Mitchell	446.56

as they shall respectfully attain the age of twenty one with interest on each sum from the first day of January eighteen hundred and thirty eight and to pay the said interest annually to their legal guardian or guardians;

Test:

John Fitzhugh

And whereas the said Charles C. Brown in pursuance of the order heretofore passed in the premises files in Court here his bond in the form following to wit:

Know all men by these presents, that we Charles C. Brown & Mary Brown of Queen Annes County and State of Maryland are held and firmly bound unto the said State in the full and just sum of thirteen thousand and three hundred and ninety seven dollars current money to be paid to the said State or its certain Attorney; to which payment well and truly to be made and done we bind ourselves and each of us and each of our heirs executors & administrators jointly and severally firmly by these presents - sealed with our seals and dated this twenty fourth day of June eighteen hundred and thirty seven.

Now the Condition of the above obligation is such that if the above named Charles C. Brown do and shall well and truly pay or cause to be paid to the ^{several} heirs of Charles C. Brown the several sums ordered by Queen Annes County Court to be paid them as their several proportions of the Paul Estab contained in Lot No 3 agreeably to and order passed by the said Court in the matter of a petition of the said Charles C. Brown for the division of the lands of the said Charles C. Brown deceased, exhibited to the said Court, then the above obligation to be void otherwise to be and remain in full force and virtue in law

Charles Brown
Mary C. Brown

And thereupon Mary Brown the second person entitled to elect comes into court here and refuses to take any part of the said Real Estate at the valuation set therein by the Commissioners and Dr. Thomas J. Willson and Ellen his wife formerly Ellen Brown the third and last persons entitled to the election also come into open court here and refused to take any part of the said Real Estate at the price set on it by the Commissioners, and thereupon the Court passed the following Order to wit:

Queen Annes County Court May Term 1837.

In the matter of the petition, of Charles C. Brown, for the division of the real estate of Charles C. Brown late of Queen Annes County dec^d the Commissioners having decided that the real estate cannot be divided equally & fairly between all the parties interested according to their several just proportions, but could be divided into three parts, and have accordingly divided into three parts distinguishable as Lots No 1, 2 & 3 and Charles C. Brown being legally entitled to elect to take portions of the said real estate at the valuation thereof by the Commissioners, having elected to take Lot No 3 and the other heirs of Charles C. Brown dec^d having refused to take the residue of the said real estate at the valuation thereof by the Commissioners - It is thereupon this first day of July 1837 by Queen Annes County Court adjudged & ordered that all the real estate of the said Charles C. Brown dec^d which is included in in Lot No 2 (lot No 1 being assigned to the Widow for her Dower) agreeably to the Report of the Commissioners appointed to divide the same shall be sold, by the Commissioners named in the proceedings in this case or a majority of them either entire or in such parcels as they shall deem proper having first given three weeks notice by advertisement inserted in the Kentville Times a newspaper printed in Kentville Queen Annes County of the place, manner & terms of sale which shall be two Hundred Dollars in cash and the balance on a credit of six twelve and eighteen months for the portions of those of age and for the portions of the minor as they shall respectively arrive at the age of twenty one years paying the interests to the guardian annually, the Commissioners to take the bonds of the purchaser to the State of Maryland with a surety or sureties to be approved of by them conditioned to pay the heirs accordingly and as soon as convenient after the sale, the said Commissioners shall return to this Court a full and particular account of their proceedings relative to such sale & upon this Court, ratification of said sale and upon the payment of the whole purchase money and not before, the said Commissioners by a good and sufficient deed or deeds to be executed, acknowledged, delivered and recorded according to law convey to the purchaser or purchasers his her or their heirs or assigns the property or estate to him her or them sold -

By order. John Felgman J

Thereupon further process of and upon the premises aforesaid is further continued by regular continuances from term to term of the said Court until the first Monday of November in the year Eighteen Hundred and thirty nine, at which said first Monday of November in the year last aforesaid comes into court here the said Charles C. Brown by his Attorney aforesaid and thereupon the Court passed the following Order to wit:

In the matter of the petition of Charles C. Brown for the division of the real estate of Charles C. Brown dec^d it is ordered by the Court that the Commissioners appointed to divide the farm pay to Richard B. Carmichael the petitioners Attorney the sum of Twenty Dollars out of the proceeds arising from that part of the

real Estate sold

Queen Anne's County Court Nov 7 1839

Test

John Edghwan D

Thereupon further process of and upon the premises aforesaid is further continued by regular continuances from term to term of the said Court until the first Monday of November in the Year Eighteen Hundred & thirty, at which said first Monday of November in the year last aforesaid comes into Court here the said Charles C. Brown by his Solicitor aforesaid and thereupon the Court rules that the said Commissioners make return of the said Sale in writing to the Circuit Court for Queen Anne's County on the first Monday of November next. Thereupon further process of and upon the premises aforesaid is further continued until the first Monday of May in the year Eighteen Hundred and forty two at which said first Monday of May in the year last aforesaid the Court orders & direct that a Copy of the aforesaid Rule be delivered to the Sheriff of Queen Anne's County to be by him served upon the Commissioners aforesaid. Whereupon further process of and upon the premises aforesaid is further continued until the first Monday of November next, at which said first Monday of November in the year last aforesaid comes into Court here the said John C. Brown by his Attorney aforesaid, and Samuel S. Robinson Esquire the Sheriff of Queen Anne's County files in Court here the Copy of the said Rule thus endorsed to wit: "Served on Valentino Bryan and Charles C. Edghwan, Saml S. Robinson Sheriff". Thereupon further process of and upon the premises aforesaid is further continued by regular continuances from term to term of the said Court until the first Monday of November in the year Eighteen Hundred and forty six at which said first Monday of November comes into Court here the said Charles C. Brown by his Solicitor aforesaid and thereupon the Court orders and directs that a rule be laid on the Commissioners aforesaid to show cause why the cash payment made on the day of Sale should not be brought into Court here, and thereupon further process of and upon the premises aforesaid is further continued by regular continuances until the first Monday of May in the year Eighteen Hundred and forty nine at which said first Monday of May in the year last aforesaid comes into Court here the said Charles C. Brown by his Attorney aforesaid, and afterward to wit: on the twenty fifth day of August in the year last aforesaid comes into Court here Thomas S. Willson by Richard B. Carmichael and Madison Brown Esquires his Attorneys and files in Court here his petition in the words following to wit:

To the Hon the Judge of Queen Anne's County Court, The petition of Thomas S. Willson to your Honor humbly shows that heretofore he purchased a portion of the Real Estate of Charles C. Brown decd included in the return of the Commissioners as Lot No 2 at a sale made by the order of this Court and that he only paid the cash payment required by the order of this Court passed in the premises and passed his bond to the state to pay the several sums entitled the shares to which they were respectively entitled but that said Commissioners have not made return to this Court of their proceedings under said Sale, nor the cash payment made by your petitioner, nor the Bond which he then executed. He therefore prays your Honor to lay a rule on said Commissioners directing them to make return of said Sale, and the cash payment with the interest thereon from the day of Sale and the Bond passed by your Petitioner on some certain day and as in duty bound your Petitioner will ever pray and so forth

) Carmichael & Brown for Petis:

And thereupon the Court passed the following Order to wit:-

Queen Anne's County Court May Term 1849

In the Matter of the petition of Charles C. Browne dec'd. It is ruled presump-
tively by the Court that William Grason and Charles C. Tilghman surviving
Commissioners, who were heretofore by an order of this Court directed to
sell all the Real Estate of the said Charles C. Browne dec'd. which was
included in Lot No 2 agreeable to the report of the said Commissioners
appointed to value and divide the same, make return of said sale in writing
to Queen Anne's County Court and bring into Court the Bond or Bonds of the pur-
chaser and the cash payments required by the Order aforesaid together with the
interest thereon from the time of payment on the first Monday of the next No-
vember Term of this Court or show cause to the contrary.

By Order of Court


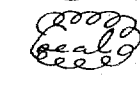
Test John Tilghman J
of Queen Anne's County.

Thereupon further process of and upon the premises aforesaid is further continued
until the first Monday of November next. At which said first Monday
of November in the Year Eighteen Hundred + forty nine comes into Court
here the said Charles C. Browne by his Attorney aforesaid and thereupon
Thomas S. Willson files in Court here his Bond in the word following to wit:-

Know all men by these presents that we Thomas S. Willson of
Queen Anne's County and State of Maryland and Thomas Willson of Kent
County and State aforesaid, are held and firmly bound unto the State of
Maryland in the full and just sum of fifteen thousand dollars to be paid
to the State of Maryland or its certain Attorney to which payment well and truly
to be made, we bind ourselves and each of us, our and each of our heirs
administrators and executors jointly and severally firmly by these presents
Sealed with our seals and dated this twenty fourth day of June in the year
Eighteen hundred and thirty nine. Whereas the Commissioners appointed
by Queen Anne's County Court to divide the Real Estate of Charles C. Browne
late of Queen Anne's County deceased, decided that the said Real Estate could
not fairly and equally be divided among all the parties interested therein
according to their several just proportions, but that it might be divided into
three parts, distinguished as lots No one, two and three, and Charles C.
Browne, their oldest male heir of said Charles C. Browne deceased, having
elected to take Lot No three at the valuation set thereon by the Commissioners,
and the other heirs of said deceased who were of full age having refused to take the
residue, or either of the remaining divisions of said Real Estate at the valuation
set thereon by the Commissioners; and lot No 1 having been laid off as the widow's
dower; it was adjudged ordered and decreed by Queen Anne's County Court
that the residue of the said real estate, included in lot No 2 should be sold
by the Commissioners, according to the terms prescribed in an order passed
in the premises: And whereas the said Commissioners pursuant to said Order,
after giving the notice required did on the twenty sixth day of September, in
the year Eighteen Hundred and thirty seven, set up and upon at public sale the
said real estate of Charles C. Browne deceased included in said lot No 2, at
which sale the said Thomas S. Willson, being the highest bidder, became the purcha-
ser of the said lot No 2, for the sum of seven thousand three hundred and
eighty dollars, and whereas after deducting the sum of two hundred dol-
lars directed to be paid on the day of sale, there remained the sum of
seven thousand three hundred and eighty dollars, for which the said Com-

commissioners were directed to take a bond to the State of Maryland for the payment thereof to the representatives of the said Charles C. Brown deceased. Now the Condition of this obligation is such that if the said Thomas S. Willson his heirs executors and administrators do and shall well and truly pay the said sum of seven thousand three hundred and eighty dollars to the representatives of the said Charles C. Brown deceased according to their several just proportions, that is to say: To Mary E. Brown fourteen hundred and seventy six dollars, to Charles C. Brown the sum of fourteen hundred and seventy six dollars, and to Robert J. Brown the sum of fourteen hundred and seventy six dollars in three equal instalments of six, twelve and eighteen months from the said twenty sixth day of September in the year eighteen hundred and thirty seven, with interest on each and all of said instalments from the said day; and shall well and truly pay to the infant children of Sarah Mitchell deceased, formerly Sarah Brown and daughter of Charles C. Brown deceased, that is to say to Charles S. Mitchell the sum of four hundred and ninety two dollars, to Maria G. Mitchell the sum of four hundred and ninety two dollars, to Martha L. Mitchell the sum of four hundred and ninety two dollars, as they respectively arrive at age, with interest on each of said sums from the said twenty sixth day of September in the year eighteen hundred and thirty seven, to be paid annually to their legal guardians; the sums aforesaid together with the sum of fourteen hundred and seventy six dollars, to which the said Willson is entitled in right of his wife Ellen C. M. Willson formerly Ellen C. M. Brown, amounting in all to the sum of seven thousand three hundred and eighty dollars, for which the said commissioners were directed to take bond; and if the said Thomas S. Willson his heirs executors or administrators shall pay the said sum in the manner prescribed, then the foregoing obligation to be void, otherwise to be and remain in full force and virtue in law.

Signed, sealed and Delivered
in the presence of
Ann E. Brooke,

Thomas S. Willson 
Thos. Willson 

Mary E. Brown		\$ 1476.
Charles C. Brown		1476
Robert J. Brown		1476
Ellen C. Willson		1476
Charles S. Mitchell	492.	
Maria G. Mitchell	492	
Martha L. Mitchell	492	1476
		<u>7380</u>
	Paid on the day of sale	<u>200</u>
	whole purchase money.	\$ 7500

Thereupon further process of and upon the premises aforesaid is further continued by regular continuances from term to term of the said Court until the first Monday of November in the year Eighteen Hundred and sixty three at which said first Monday of November in the year last aforesaid comes into Court here the said Charles C. Brown by his Attorney aforesaid, and afterwards to wit: on the third day of December Thomas S. Willson and Ellen his wife by John B. Brown Esquire their Attorney present to and file in Court here their petition in the words following to wit:-
In the matter of the Petition to value and divide the Real Estate of Charles C. Brown dec'd }
In the Circuit Court for Queen Anne's County,
To the Honorable Richard B. Barrmickel

Judge of the Circuit Court for Queen Anne's County,

The petition of Thomas S. Willson and Ellen his wife, formerly Ellen Brune and of Mary Brune to your Honor respectfully shews that heretofore a Commission issued out of Queen Anne's County Court to William Grason, Valentine Bryan, Robert B. A. Tate, Charles C. Tilghman and William H. D. Coursey to value and divide the Real Estate of Charles C. Brune late of Queen Anne's County deceased; that said Commissioners divided said Real Estate into lots Nos 1, 2 and 3 and valued the same separately: that lot No 1 containing about 262 acres was assigned to Martha T. Brune widow of said deceased for her dower and was valued at \$20 per acre subject to said dower: that said Commissioners made return of the said Commission and their proceedings to said Court; that subsequently Charles C. Brune son, and one of the heirs of said Charles C. Brune dec'd, elected to take Lot No 3 at the valuation put therein by the Commissioners and executed his Bond conditioned to pay to the other heirs their shares of said valuation: that the adult heirs renounced their right of Election; that the said County Court thereafter passed an order directing said Commissioners to make sale of lot No 2: that said sale was in fact made and your petitioner Thomas S. Willson became the purchaser and complied with the terms of said sale by paying to the Commissioners the cash payment prescribed by said order and executing his Bond conditioned to pay to the other heirs their shares of the residue of said purchase money. All which will appear by reference to the proceedings in this Cause, Your petitioners further state to your Honor that Martha T. Brune the widow of said deceased departed this life sometime during the present year and that Lot No 1 can now be sold disencumbered by the dower but that four of the original commissioners to wit Valentine Bryan, Robert B. A. Tate, Charles C. Tilghman and William H. D. Coursey have also departed this life leaving William Grason the only remaining commissioner and that it is necessary that your Honor should appoint four other Commissioners to fill the vacancies caused by their deaths to execute the duty of making such sale &c. Your Petitioners further state that Robert Brune one of the sons and heirs at law of said Charles C. Brune has also departed this life and also Louisa and Maria Mitchell grand-children of said Charles C. Brune dec'd. so that the undivided interest of the surviving persons interested in said lot No 1 is one fourth each to wit; Charles C. Brune, Mary Brune, Ellen Willson and Charles J. B. Mitchell and that said Charles J. B. Mitchell who was a Minor when the original petition was filed is now of full age. Your petitioners therefore pray your Honor to pass an order appointing four Commissioners to fill the vacancies caused by the death of Valentine Bryan, Robert B. A. Tate, Charles C. Tilghman and William H. D. Coursey, heretofore appointed and authorizing and empowering them in connection with William Grason the remaining commissioner to sell said Lot No 1 at public sale on such terms as to Your Honor shall seem just and proper and as in duty bound your petitioners will ever pray &c -

John B. Brown atty for Petitioners

And therefore the Court passed the following Order to wit -

In the matter of the petition of Charles C. Brune to value and divide the Real Estate of Charles C. Brune deceased

In the Circuit Court for Queen Anne's County,

Thomas S. Willson and Ellen his wife, and Mary Brune, persons interested in the Real Estate of the cause mentioned

having preferred their petition to the Court setting forth among other things that Lot No 1 one of the parts into which said Real Estate was divided by the Commissioners remains undisposed of and that Martha J. Browne widow of the intestate to whom the same had been assigned for Dover departed this life some time during the present year: that four of the original Commissioners to wit Valentine Bryan, Robert B. A. Tate, Charles b. Tilghman and William H. D. Causey have also departed this life and praying the appointment of four other Commissioners to fill the vacancies caused by said deaths and for an order of sale of said Lot No 1 and further stating that by the deaths of Robert Browne, a son of said intestate and of Louisa and Maria Mitchell grand children of said intestate, the remaining persons interested in said lot No 1 to wit Charles b. Browne, Mary Browne, Ellen Willson and Charles J. B. Mitchell are each entitled to one fourth: It is thereupon this second day of December eighteen hundred and sixty three by this Court and by the authority thereof adjudged ordered and decreed that William H. Forman, William b. Tilghman, William J. Hammond and William J. Bryan be and they are hereby appointed Commissioners to fill the vacancies in the original Commission caused by the deaths of Valentine Bryan, Robert B. A. Tate, Charles b. Tilghman and William H. Decausey, and that they in connection with William Garson the remaining Commissioner or a majority of them be and are hereby authorized and empowered to make sale of said Lot No 1: that before the said William H. Forman, William b. Tilghman, William J. Hammond, & William J. Bryan proceed in the execution of the duty prescribed by this Order they shall severally take an oath before some justice of the peace of Queen Annes County well and faithfully to perform the duties required of them by this Order and all duties assigned them by law in virtue of their appointments as Commissioners and that they will proceed in the execution and completion of their duties without favor or partiality or prejudice and according to the best of their judgment and understanding: after which they or a majority of them shall proceed to sell said lot No 1 either entire or in parcels as to them shall seem best for the interest of the parties concerned, having first given at least three weeks previous notice of said sale by advertisements inserted in one or more newspapers printed in Queen Annes County and such other notice as they shall deem proper of the time, place, manner and terms of sale, which terms shall be as follows, one hundred dollars cash on the day of sale, and the residue in three equal installments of one, two and three years, from the day of sale with interest from said time to be secured by the Bond or Bonds of the purchaser or purchasers to the State of Maryland in the penalty of at least double the amount of said residue with two or more sureties to be approved by the Commissioners, conditioned to pay to Charles b. Browne, Mary Browne, Ellen Willson, and Charles J. B. Mitchell respectively one fourth of each of said installments and interest thereon as they severally become due; and as soon as convenient after such sale or sales the said Commissioners shall return to the Court a full and particular account thereof and of all their proceedings under this order together with the money and Bonds arising therefrom and upon the ratification of said sale or sales by the Court and the payment of the whole purchase money and not before, the said Commissioners or a majority of them or the survivors or survivor of them shall convey to the purchaser or purchasers by deed or deeds duly executed and acknowledged according to law all the right, title, claims, interests and estate of the said Charles b. Browne deceased to the land sold to him,

her or them.

Rich^d: B^r: Carmichael.

and thereupon commission was accordingly issued in form following to wit
 The State of Maryland, to William Grason, William H. Forman, William C.
 Filghman, William T. Hammond and William J. Bryan of
 Queen Annes County, Greeting: Whereas Thomas S. Willow and
 Ellen his wife, formerly Ellen Browne, and Mary Browne, by pe-
 tition to the Judge of the Circuit Court for Queen Annes County
 have set forth, that heretofore a commission issued out
 of Queen Annes County Court to William Grason, Valentine Bryan, Robert B. A.
 Tate, Charles C. Filghman and William H. DeCoursey, to value and divide the
 Real Estate of Charles C. Browne of Queen Annes County deceased: that said
 commissioners divided said Real Estate into Lots No 1, 2 and 3 and valued
 the same separately, that Lot No 1 containing about two hundred and sixty two
 acres was assigned to Martha T. Browne widow of said deceased for her dower
 and was valued at \$20 per acre subject to said Dower; that said commissioners
 made return of the said commissions and their proceedings to the said Court:
 that subsequently Charles C. Brown, son and one of the heirs of the said Charles C.
 Brown deceased, elected to take Lot No 3 at the valuation put thereon by the
 commissioners and executed his bond conditioned to pay to the other heirs their
 shares of said valuation: that the other adult heirs renounced their right
 of election: that the said County Court thereafter passed an order directing
 said Commissioners to make sale of Lot No 2: that said sale was in fact
 made and your petitioner Thomas S. Willow became the purchaser and complied
 with the terms of said sale by paying to the commissioners the cash payment
 prescribed by said order and executing his Bond conditioned to pay to the
 other heirs their shares of the residue of said purchase money, all which will
 appear by reference to the proceedings in this cause; that Martha T. Browne
 the widow of said deceased departed this life sometime during the present
 year, and that Lot No 1 can now be sold discharged of the Dower
 but that four of the original commissioners to wit Valentine Bryan, Robert
 B. A. Tate, Charles C. Filghman and William H. DeCoursey have also depar-
 ted this life leaving William Grason the only surviving commissioner - that Robert
 Brown ^{and} the son and heir at law of said Charles C. Browne has also departed
 this life and also Louisa and Maria Mitchell grand children of said Charles
 C. Browne deceased, so that the undivided interests of the surviving persons
 entitled in said Lot No 1, is one fourth each to wit, Charles C. Browne, Mary Browne,
 Ellen Willow and Charles J. B. Mitchell and that said Charles J. B. Mitchell
 who was a minor when the original petition was filed, is now of full age,
 and hath therefore prayed that this Court would pass an order appointing
 four commissioners to fill the vacancies caused by the deaths of Valentine Bryan,
 Robert B. A. Tate, Charles C. Filghman and William H. DeCoursey heretofore appoin-
 ted and authorizing and empowering them in connection with William Grason
 the remaining commissioner to sell said Lot No 1, at public sale on such
 terms as to said Court should seem just and proper - And Whereas this Court
 hath appointed you for that purpose - Now these are to authorize ~~and empow-~~
 er you or a majority of you, to make sale of said Lot No 1, and that
 before the said William H. Forman, William C. Filghman, William T. Ham-
 mond and William J. Bryan proceed in the execution of the duty herein
 prescribed, they shall severally take an oath before some justice of the Peace
 for Queen Annes County, well and faithfully to perform the duties required of

them by said order, and all duties assigned them by law in virtue of their appointment as Commissioners, and that they will proceed in the execution and completion of their duties without favor, partiality or prejudice according to the best of their knowledge, judgment and understanding; after which you or a majority of you shall proceed to sell said Lot No. 1. either entire or in parcels as to you shall seem best for the interest of the parties concerned, having first given at least three weeks previous notice of said sale by advertisements inserted in one or more newspapers printed in Queen Annes County and such other notice as you shall deem proper of the time, place, manner and terms of sale, which terms shall be as follows, one hundred dollars cash on the day of sale, and the residue in three equal instalments of one, two and three years from the day of sale with interest from said time to be secured by the Bond or Bonds of the purchaser or purchasers to the State of Maryland in the penalty of at least double the amount of said residue with two or more sureties to be approved by the Commissioners, conditioned to pay Charles C. Bonner, Mary Bonner, Ellen Willson and Charles J. B. Mitchell respectively one fourth of each of said instalments and interest thereon as they severally become due; and as soon as convenient after such sale or sales you shall return to this Court a full and particular account thereof and of all your proceedings under this Commission, together with the money and Bonds arising therefrom, with all convenient speed.

Witness the Honorable Richard B. Carmichael, Judge of the said Court, the second day of November in the year Eighteen Hundred and sixty three, Dated the 4th day of December 1863.

James Hunter Clerk,

Commissioner's Oath,

Queen Annes County to wit: Be it remembered, that on this thirty first day of March in the year Eighteen Hundred and sixty four before the subscribers, one of the Justices of the Peace in and for Queen Annes County, personally appeared William H. Forman, William F. Hammond and William S. Bryan, and severally made Oath on the Holy Evangelly of Almighty God, that they will well and faithfully perform the duties required of them by the annexed Commission and all duties assigned them by law in virtue of their appointment as Commissioners, and that they will proceed in the execution and completion of their duties without favor, partiality or prejudice and according to the best of their judgment and understanding.

Sworn before,

G. H. Bondy J. P. *ms*
Seal
Seal

Thereupon further process of and upon the premises aforesaid is further continued by regular continuances until the first Monday of November next at which said first Monday of November in the year Eighteen Hundred and sixty four comes into Court here the said Charles C. Bonner by his Attorney aforesaid and thereupon William H. Forman, William S. Bryan and William F. Hammond in majority of the Commissioners named in the foregoing Commission make Return to the Court here their report of sale in manner following to wit:

To the Honorable James B. Ricard Esquire Judge of the Circuit Court for Queen Annes County, The undersigned Commissioners appointed by an order of the Court passed on the second of December eighteen hundred and sixty three to make sale of Lot No. 1. of the Real Estate of Charles C. Bonner late of Queen Annes County deceased respectfully report to your Honor that after having taken the Oath annexed to the Commission,

they caused public notice of the sale of said Real Estate to be given by advertisements inserted in the Maryland Citizen, a newspaper printed at Centerville Queen Annes County Maryland, The Delaware State Journal and Statesman a newspaper printed at Wilmington Delaware, the National Standard, a newspaper printed at Salem, New Jersey, and in the Village Record a newspaper printed at West Chester, Pennsylvania at least three weeks prior to the day of sale and also by hand bills extensively circulated throughout Queen Annes and adjoining Counties and in the City of Baltimore at and at the expiration of said time of notice, your Commissioners attended at Centerville in Queen Annes County in front of the Court House on Tuesday the seventh day of June 1864 between the hours of 12 o'clock M and two o'clock P. M and first offered said Real Estate for sale to the highest bidder in two separate parcels with the previous notice that it would be subsequently offered as a whole, and if it sold for more as a whole, said sale to stand but if the aggregate sales of the parcels offered separately exceeded the highest bid for said Real Estate as a whole, then the sales of the separate parcels were to be held as the true sales: they then offered said Real Estate as a whole as containing two hundred & sixty two acres and the same was struck off to Tho. S. Willson and Charles J. B. Mitchell and Mary E. Borne at and for the sum of forty two dollars and fifty cents per acre, making the total amount to be Eleven thousand one hundred and thirty five dollars and said amount being more than the aggregate amount of the parcels offered separately, the said Thomas S. Willson and Charles J. B. Mitchell and Mary E. Borne were declared to be the purchasers of said Real Estate, Your Commissioners then receiving from said purchasers the sum of one hundred dollars the cash payments required by said Order of Sale and took the Bond of the said Thomas S. Willson and Charles J. B. Mitchell Mary E. Borne with Richard J. Larrimore and Wm B. Pilghman as securities to the State of Maryland in the penalty of Eleven thousand and one hundred dollars conditioned to pay to Ellen E. M. Willson and Charles C. Borne respectively the sum of two thousand seven hundred and fifty eight dollars and seventy five cents less their proportion of the costs of these proceedings in three equal annual instalments from the said day of sale with interest from said date on each instalment as it becomes due - the said Charles J. B. Mitchell and Mary E. Borne being heirs in equal right with the said Ellen E. M. Willson and Charles C. Borne as well as purchasers. And your Commissioners further report that they have paid to Charles H. Costin the sum of two dollars for crying said sale and to J. F. Hand Editor of the Maryland Citizen the sum of fourteen dollars, to Henry Eckel Editor of the Delaware State Journal & Statesman, the sum of eight dollars, to Henry S. Evans Editor of the Village Record the sum of two dollars and seventy one cents and to William J. Kemp, Editor of the National Standard the sum of nine dollars and fifteen cents, for advertising notices of said sale, vouchers for all which payments are herewith returned and the sum total of said payments being Fifty one Dollars and eighty six cents. Your Commissioners further report that they have in hand the sum of Forty eight dollars and fourteen cents the residue of the cash payment to be applied under the direction of the Court and they also bring into Court the Bond and Commission aforesaid, all which is respectfully submitted under their hands & Seals this 10th day of Nov eighteen hundred and sixty four.

Wm H. Forman

William I. Bryan
W. F. Hammond

Account of expenses in addition to those mentioned in the body of the foregoing Report.

William H. Gorman, Commr.	8	days @ \$2.00 pr day	\$ 16.00
William F. Hammond	2	" "	4.00
William I. Bryan	2	" "	4.00
Advertising, paying Crier &c			24.00
Expenses thus far paid			\$ 75.86
Amt paid to Commissioners			100.00
Balance in hand			24.14

And thereupon the following Bond is filed to wit:-
Know all men by these presents that we Charles I. B. Mitchell, Thomas

Thomas S. Willson, Mary E. Boone, Rich^d J. Lammore and William B. Filghman the two first and the two last named of Queen Anne's County and State of Maryland and the third named of the City of Baltimore and State aforesaid are

held and firmly bound unto the State of Maryland in the full and just sum of Eleven thousand one dollar current money, to be paid to the State of Maryland or its certain Attorney, to which payment well and truly to be made and done, We bind ourselves and each of us, our and each of our heirs, Executors and Administrators, jointly and severally; firmly by these presents, sealed with our Seals and dated this seventh day of June eighteen hundred and sixty four, Whereas at a sale made by Commissioners on the seventh day of June eighteen hundred and sixty four by virtue of an order of the Circuit Court for Queen Anne's County of Lot No 1 of the Real Estate of Charles C. Boone late of said County deceased, containing two hundred and sixty two acres more or less, the above bound Charles I. B. Mitchell, Thomas S. Willson and Mary E. Boone became the purchasers thereof at and for the price of Forty two dollars and fifty cents per acre, making the whole purchase money amount to Eleven Thousand one hundred and thirty five dollars, and whereas the said purchasers have paid to the Commissioners one hundred dollars, the cash payments required by the aforesaid order, leaving as the residue thereof the sum of eleven thousand and thirty five dollars, and whereas the said Charles I. B. Mitchell and Mary E. Boone are each entitled to one fourth of said residue or the sum of two thousand seven hundred and fifty eight dollars and seventy five cents, and Ellen C. M. Willson and Charles C. Boone are also each entitled to the like sum of Two thousand seven hundred and fifty eight dollars, and seventy five cents: Now the condition of the above Obligation is such that if the above bound Charles I. B. Mitchell, Thomas S. Willson and Mary E. Boone their heirs, executors or administrators do and shall well and truly pay or cause to be paid to the said Ellen M. Willson and Charles C. Boone respectively or to their respective Executors, administrators or assigns the sum Two thousand seven hundred and fifty eight dollars and seventy five cents, less their proportion of the Costs of this proceeding, in three equal annual instalments from the seventh day of June eighteen hundred and sixty four together with interest on each instalment from said date as it falls due then this Obligation to be void, otherwise to be and remain in full force and virtue in law.

Witness for b. I. B. Mitchell,
 J. A. Willson & Wm B. Fulghman
Madison Boone
 Witness for Richd J Larrison
George Dandrew
 Witness for Mary E. Boone
J. Parkin Seath

b. I. B. Mitchell.
 Tho: Longth, Willson.
 Mary E. Boone.
 Richd J Larrison
 Wm B. Fulghman.

In the matter of the division & sale of
 the Real Estate of Charles C. Boone dec'd.

In the Circuit Court for Queen
 Annes County,

Ordered this 10th day of November eighteen
 hundred and sixty four that the sale of Lot No 1. reported by the commissioners
 in this cause be ratified and confirmed unless cause to the contrary thereof
 be shown on or before the second day of the next Term of this Court and fur-
 ther ordered that said commissioners be and they are hereby allowed for the
 payments mentioned in their reports of sale and that they be allowed to ac-
 tain for their services or commissions the sum opposite their respective names
 in their memorandum of additional expenses and that they also pay
 to John B. Boone Esquire, Attorney in this cause the sum of twenty dollars
 and the residue of the cash payment to the clerk of this Court.

J. B. Ricard

Thereupon further process of and upon the premises aforesaid is further con-
 tinued until the first Monday of May next, at which said first Monday
 of May in the year Eighteen Hundred and sixty five, comes into Court here
 the said Charles C. Boone by his attorney aforesaid, and thereupon the Court
 passed the following Order to wit:-

Circuit Court for Queen Annes County, May Term 1865.

Ordered, that the clerk of this Court, out of the funds in his hands pay to
 James Wothers, late clerk, the sum of two dollars and fifty five cents,

Jus. M. Robinson

1865 May 2^d. Recd. of S. E. Dyott, clerk, amount of a bore order.

James Wothers,

And thereupon the Court passed the following Order to wit:-

In the matter of the division and sale
 of the Real Estate of Charles C. Boone dec'd.

In Circuit Court for Queen
 Annes County.

May Term 1865.

Ordered on this 6th day of May in the year Eighteen Hundred and sixty five
 by the Circuit Court for Queen Annes County and by the authority thereof
 that the sale of Lot No 1 reported by the commissioners in this cause be and
 the same is hereby finally ratified and confirmed, no cause to the contrary
 thereof having been shown in pursuance of conditional order of ratification
 heretofore passed in this cause,

Jus. M. Robinson

Further proceedings had under petition of Robert J. Mason and Charles
 C. Millom for a deed of Lot No 2. Order appointing Wm McKenney
 Commissioner to make the conveyance, will appear by reference
 to the papers in this cause.

The papers to which the above memorandum refers will be found recorded in this Liber on folio 399, 400

In the matter of the petitions of John F. Norman and Martha Norman his wife formerly Martha Bryan Thomas R. Caville and Julia Ann Caville formerly Julia Ann Bryan to value and divide the Real Estate of James L. Bryan late of Queen Anne's County deceased -

Be it remembered that at a Circuit Court begun and held at Centerville in and for Queen Anne's County on the first Monday of November in the year Eighteen Hundred and sixty three John F. Norman and Martha Norman his wife formerly Martha Bryan and Thomas R. Caville and Julia Ann Caville his wife formerly Julia Ann Bryan of Queen Anne's County, State of Maryland by John B. Brown their attorney prefer their petition to the Judge of said Court in the following words to wit:

To the Honorable R. B. Carmichael Judge of the Circuit Court for Queen Anne's County. The petition of John F. Norman and Martha Norman his wife, formerly Martha Bryan and Thomas R. Caville and Julia Ann Caville his wife, formerly Julia Ann Bryan of Queen Anne's County in the State of Maryland to your honor respectfully sheweth that one James L. Bryan, late of County aforesaid departed this life on or about the year eighteen hundred and sixty one intestate and seized and possessed of certain Real Estate, situate lying and being on Kent Island County aforesaid adjoining the lands of Franklin Knight, Pere Wincheter and others, commonly known as the "Beach Farm" and containing one hundred and fifty acres of land more or less, and bearing the following named persons his children and heirs at law to wit: Lewis Bryan, James E. Bryan, William L. Bryan, Emeline Cockey formerly Emiline Bryan, then and now intermarried with one Edward Cockey, Eliza Quinn formerly Eliza Bryan, then and now intermarried with one Lawrence H. Quinn, Julia Ann Caville formerly Julia Ann Bryan, then and now intermarried with Thomas R. Caville, one of your petitioners, Mary Robinson formerly Mary Bryan, then and now intermarried with one James L. Robinson, Elizabeth Hopkins, formerly Elizabeth Bryan, then and now intermarried with one William Hopkins, Susan Bryan, Sarah Bryan, and Martha Norman, Martha Bryan since intermarried with John F. Norman, the other of your petitioners each of said children and heirs at law being entitled to an eleventh undivided part of said real estate - Your petitioners further set forth that it is alleged that said Lewis Bryan, oldest child and heir at law of said James L. Bryan dec'd. has sold and parted with his interest in said Real Estate to one John N. Willis of County and State aforesaid, but that they have been unable to find any record evidence thereof - that all of said parties in interest as aforesaid are adults and reside in said Queen Anne's County, with exception of James E. Bryan who resides in Somerset County, State aforesaid and your Petitioners further aver that said parties entitled to said intestate's Real Estate cannot agree upon the division thereof, Wherefore Your Petitioners pray your Honor that a Commission may issue agreeably to the laws of the State of Maryland in such cases made and provided to five discreet and sensible men authorizing them or a majority of them to proceed in the premises according to law and value and divide and make partition of said Real Estate fairly and equally among all the parties entitled according to their several just proportions, and as in duty bound &c.

John B. Brown atty
for Petitioners.

Whereupon in pursuance of the Act of Assembly entitled "An Act to direct descents" The said Court directs that a Commission be issued to William B. Goodhand, W^m H. Legg, Charles Stevens, Benjamin Tolson, and John C. Tolson five discreet and sensible men, which said Commission was accordingly issued in form

following to wit:-

Maryland do, Queen Annes County, to wit:- To William B. Goodhand, William H. Legg, Charles Stevens, Benjamin Tolson and John C. Tolson of Queen Annes County, Gentlemen, Greeting: Whereas at a Circuit Court for Queen Annes County begun and held at Centerville in said County on the first Monday of November in the year Eighteen Hundred and sixty three, John F. Norman and Martha Norman his wife, formerly Martha Bryan and Thomas R. Barville and Julia Ann Barville his wife, formerly Julia Ann Bryan of Queen Annes County, preferred their petitions in writing to the Judge of said Court setting forth and alleging that one James L. Bryan, late of County aforesaid departed this life on or about the year eighteen hundred and sixty one, intestate and seized and possessed of certain real Estate, situate, lying and being on Kent Island, County aforesaid adjoining the lands of Franklin Bright, Pere Winchesters and others, commonly known as the "Beach Farm" and containing one hundred and fifty acres of land more or less, and leaving the following named persons his children and heirs at law, to wit: Lewis Bryan, James E. Bryan, William C. Bryan, Emeline Bockey formerly Emeline Bryan, then and now unmarried with one Edward Bockey, Eliza Quinn formerly Eliza Bryan, then and now intermarried with one Lawrence W. Quinn, Julia Ann Barville formerly Julia Ann Bryan, then and now intermarried with Thomas R. Barville, Mary Robison formerly Mary Bryan, then and now intermarried with one James Robison, Elizabeth Hopkins formerly Elizabeth Bryan, then and now intermarried with one William Hopkins Susan Bryan, Sarah, Bryan, and Martha Bryan formerly Martha Bryan, since intermarried with John F. Norman, each of said children and heirs at law being entitled to an eleventh undivided part of said real estate, that it is alleged that said Lewis Bryan, oldest child and heir at law of said James L. Bryan deceased, has sold and parted with his interest in said Real Estate to one John K. Willis of County and State aforesaid, but that they have been unable to find any record evidence thereof - that all of said parties in interest as aforesaid are adults and reside in said Queen Annes County with exception of James E. Bryan who resides in Somerset County, State aforesaid, and that the parties entitled to said intestates Real Estate cannot agree upon the division thereof and praying that a Commission may issue agreeably to the provisions of the Act of Assembly in such case made and provided to five discreet and sensible men to be Commissioners authorizing and empowering them or a majority of them to proceed in the premises according to law, and divide and make partition of the said estate fairly and equally in value between all the parties interested according to their just proportions &c. - Be it therefore known that the said Court have appointed you to be Commissioners in the premises, and you or a majority are hereby authorized and empowered having first taken the oaths hereunto annexed, and giving the notices hereinafter prescribed, to enter upon the said Real Estate and determine whether it will admit of being divided without loss and injury to all the parties entitled, and ascertain the value of the real estate in current money taking into consideration any incumbrance thereon, and value the estate subject to the incumbrance; and if the estate can in your opinions and judgment, or in the opinion and judgment of a majority of you be divided without loss and injury to all the parties entitled, then you shall divide and make partition of the same fairly and equally in value

between all the parties interested according to their several just proportions; and if the estate cannot be divided equally and fairly between all the parties interested according to their several just proportions, then you or a majority of you have full power to divide the estate into as many parts as it is susceptible of without loss and injury to all the parties entitled, and ascertain the value of each part of the estate in current money subject to any incumbrance thereon, and if you or a majority of you shall determine that the estate cannot be divided without loss and injury to all the parties entitled, then you shall make return of your judgment and the reasons upon which the same is formed, and the real value of the estate in current money subject to the incumbrances if any thereon; and if you or a majority of you shall determine that the estate can be divided in either of the ways hereinbefore mentioned, without loss and injury to all the parties then you shall cause the lands to be surveyed and laid out by the County Surveyor for the several parties, and if the estate shall be equally divided between all the parties interested according to their several just proportions, then you or a majority of you shall allot to the several parties their respective shares of said land; and you or a majority of you, before you proceed to execute this Commission shall cause notice to be given to all the parties concerned if they reside within this State by advertisement set up at the door of the Court House of the County aforesaid, and in such other public places in the County as you may direct at least thirty days prior to your proceeding to execute this Commission; and if the parties or any of them reside out of the State of Maryland, then you or a majority of you, before you proceed to execute this Commission, shall cause notice thereof to be given by advertisements set up at the door of the Court House of the County aforesaid, and in such other public places in the said County as you may direct, and also published in each Newspaper or Newspapers as you may direct, at least two months previous to your proceeding to execute this Commission, and you or a majority of you having made partition or allotment in manner aforesaid, shall make return of your proceedings under this Commission, to the next Circuit Court for Queen Anne's County to happen thereafter, and this shall be your sufficient authority: Witness the Honorable Richard B. Carnichael, Judge of the said Court, the second day of November in the year eighteen hundred and sixty three.

Issued the 2nd day of December 1863,

James Walters Clerk

Commissioners' Oath.

Queen Anne's County to wit: Be it remembered, that on the 19th day of January in the year eighteen hundred and sixty four, before me, the Subscribed, one of the State of Maryland's Justices of the Peace in and for Queen Anne's County aforesaid, personally appeared W^m B. Howard, Benjamin C. Folsom and Charles Stevens W^m Henry Legg and made oath on the Holy Evangelists of Almighty God, that they will well and faithfully perform the duties required of them by the aforesaid Commission, and all duties assigned them under Article Forty six of the Code of the Public General Laws of the State of Maryland, and that they will proceed in the execution and completion of the said Commission without favor, partiality or prejudice and according to the best of their understanding and judgment sworn before

W. W. Handy J.P. (Seal)

Thereupon further process of and upon the premises of aforesaid is further con-
tinued until the first Monday of May next, At which said first
Monday of May in the Year Eighteen Hundred and sixty four, comes
into Court here the said John T. Norman and Martha Norman his wife
and Thomas R. Carville and Julia Ann Carville his wife by their attorney
aforesaid and the Commissioners aforesaid make Return to the Court hereof
their proceedings under the said Commission in manner following to wit:-

In the matter of the petition of
John T. Norman & wife and Thomas
R. Carville & wife to value and di-
vide the Real Estate of James L.
Bryan, late of L. A. County dec'd.

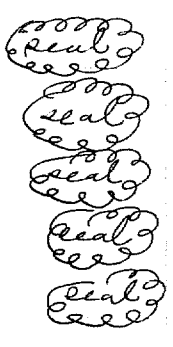
Queen Annes County Circuit Court,

May Term 1864,

To the Honorable R. B. Ricard Judge of
the Circuit Court for Queen Annes County. We, the undersigned, Commis-
sioners heretofore appointed to value and divide the Real Estate of James L.
Bryan late of Queen Annes County deceased among the parties entitled
thereof, hereby certify to this Honorable Court that after having duly quali-
fied and given the notice as required by annexed Commission. We met
on the premises of the deceased agreeably to said notice on Saturday,
the twentieth day of February in the year eighteen hundred and sixty four
and proceeded in the execution of our duties under said Commission

We found James H. Thompson County Surveyor for Queen Annes County
in attendance according to previous notification from us, who then and
there proceeded to survey and contents said Real Estate under the
direction and supervision of your Commissioners, and ascertained the
contents thereof to be one hundred and forty three acres, two rods and
twenty eight perches of land, a plat and certificate whereof is herewith
returned as part of this Report - upon consideration we determined
said Real Estate to be incapable of division in any of the methods
signified in said Commission and thereupon proceeded to value same
and adjudged same to be worth the sum of twenty nine dollars and
twenty three $\frac{212}{521}$ cents per acre, making in the aggregate the round
sum of four thousand two Hundred dollars, all which is respectfully
submitted - as witness our hands & seals this fifth day of April in the
year eighteen Hundred and sixty four

William B. Goodhand
Wm. Henry Legg
Chas. S. Stevens
Benj. C. Tolson



Bill of costs.

Wm B. Goodhand	2 days	\$4.00
Wm H. Legg	3 do	6.00
Charles Stevens	3 Do	6.00
Benjamin C. Tolson	3 Do	6.00
Magistrates cost		.50
Henry Porter pole carrier	1 Do	1.00
Henry Porter Sr		\$23.50
Benj. Tolson Jr	chain Carrier \$1.00 each	2.00
James W. Thompson, Surveyor		12.00
		<u>\$37.40</u>

The Plat and Certificate accompanying the foregoing Return are as follows to wit:-

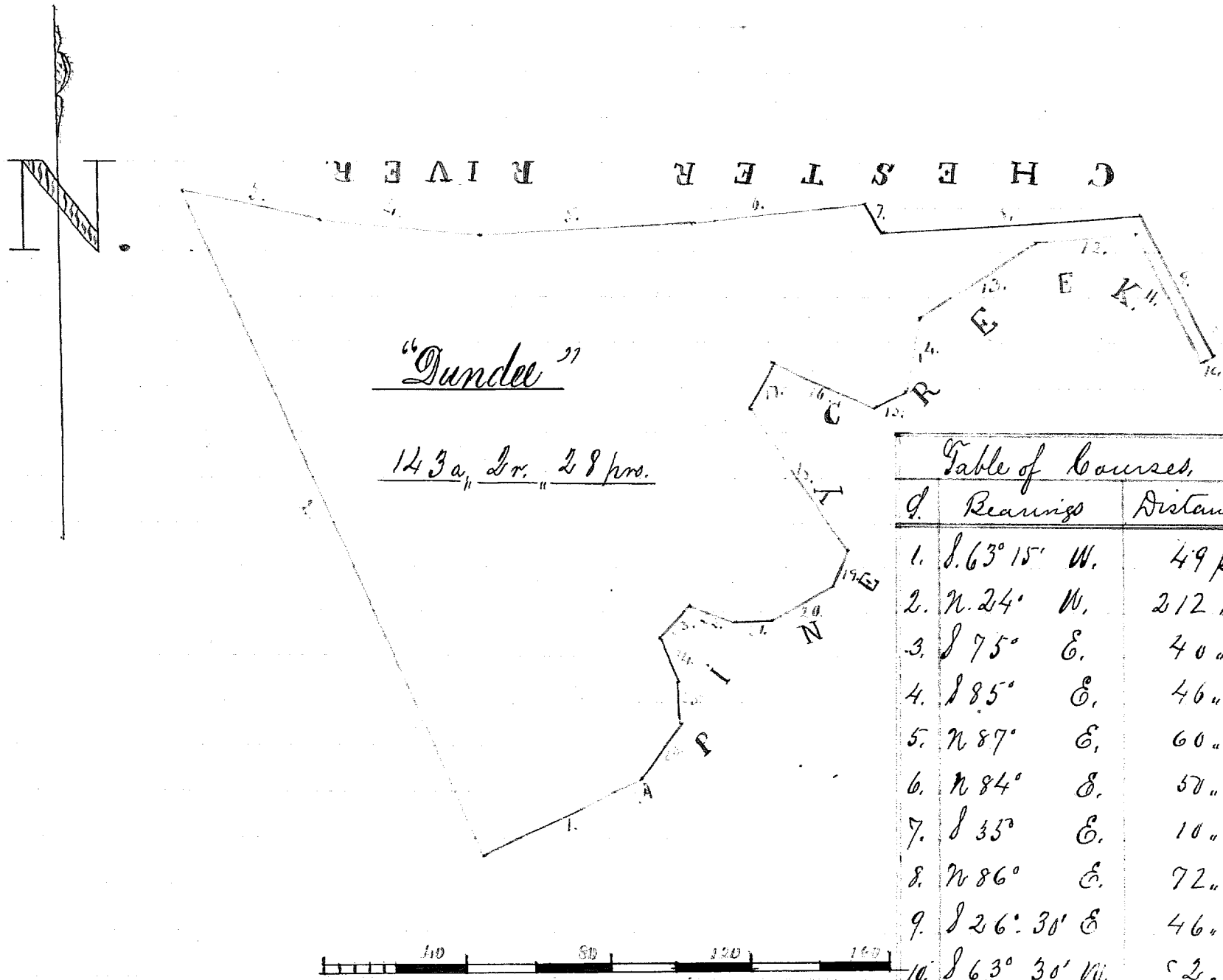


Table of Courses.		
No.	Bearings	Distances
1.	S. 63° 15' W.	49 pps
2.	N. 24' W.	212 "
3.	S 75° E.	40 "
4.	S 85° E.	46 "
5.	N 87° E.	60 "
6.	N 84° E.	58 "
7.	S 33° E.	10 "
8.	N 86° E.	72 "
9.	S 26° 30' E	46 "
10.	S 63° 30' W.	52 "
11.	N 26° 30' W	42 "
12.	S 84° W	29 "
13.	S 55° W	40 "
14.	S 16° 30' W	22 "
15.	S 61° W	10 "
16.	N 66° W	32 "
17.	S 25° W	15 "
18.	S 35° E.	58 "
19.	S 33° W	11 "
20.	S 61° W	20 "
21.	S 83° W	18 "
22.	N 71° W	14 "
23.	S 42° W	12 "
24.	S 25° E	13 "
25.	S 5° E	18 "
26.	S 36° 30' W	19 1/2 "
143a, Sr. 28 pps.		

James H. Thompson
 Surveyor of L. A. Co.
 February 20th 1864

State of Maryland I now annis les to wit I hereby certify that I have surveyed for Charles Stevens, Benjamin Tolson and William H. Legg Esqs. commissioners upon the real estate of James L. Bryant Decd. a tract of land upon Kent Island called 'Dundee' situated upon Chester River and Piney brook and contained within the following metes and bound courses and distances to wit. Beginning at a post at the head of Coopers Cove, and running thence South sixty three degrees fifteen minutes West forty nine perches, thence North twenty four degrees, West two hundred and twelve perches to Chester River, thence up the River South seventy five degrees East forty perches, thence South eighty five degrees East forty six

six perches North eighty seven degrees East sixty perches, North eighty four degrees East fifty perches, South thirty five degrees East ten perches, North eighty six degrees East seventy two perches and South twenty six degrees thirty minutes, East forty six perches, thence South sixty three degrees thirty minutes West two perches to Piney Creek and with the creek, North twenty six degrees thirty minutes, West forty two perches, South eighty four degrees West twenty nine perches, South fifty five degrees West forty perches, South sixteen degrees thirty minutes West thirty two perches, South twenty five degrees West fifteen perches, South thirty five degrees East fifty perches, South twenty three degrees West eleven perches, South sixty one degrees West twenty perches, South eighty three degrees West ten perches, North seventy one degrees West fourteen perches, South forty two degrees West twelve perches, South twenty five degrees East thirteen perches, South five degrees East eleven perches and South thirty six degrees thirty minutes West nineteen perches and a half perch to the Beginning containing one hundred and forty three acres, two roods and twenty eight perches of land,

February 20th 1864

James H. Thompson
Surveyor of L. A. Co.

Whereupon the said Return being read and considered by the Court, it is ordered and adjudged by the said Court that the judgment of the Commissioners and the Return aforesaid be ratified and confirmed unless cause to the contrary be shown on or before the first Monday of November next. Whereupon the following Agreements and Renunciations are filed to wit:

In the matter of the petitions of John F. Norman & wife & Thomas R. Canillo & wife, to value and divide the Real Estate of James L. Bryan, late of Queen Annes County deceased

In Circuit Court for Queen Annes County.

To the Hon. J. B. Ricard, Judge of the Circuit Court for Queen Annes County -

We the undersigned, Heirs & Representatives of James L. Bryan late of Queen Annes County deceased hereby signify our consent and agreement to the ratification of the Commissioners report heretofore filed in this cause, and declining and renouncing any right of election to take said Real Estate at the valuation affixed thereto by the Commissioners aforesaid, pray your Honor to pass an order for the sale of said Real Estate by the Commissioners aforesaid, and as in duty &c -

Test:
Thos. R. Canickson

(Signed)

John L. Hillis, John F. Norman
Thos. R. Canillo, Edward Corkey
William S. Hopkins, Jury Bryan
Sarah A. Bryan, Lawrence L. Quinn
James L. Robinson.

In the matter of the petitions of John F. Norman & wife &c to value & divide the Real Estate of Jas L. Bryan, late of Queen A. Co. decd.

In C. C. L. A. Co. -

To Hon. J. B. Ricard, Judge of the Circuit Court for Queen Annes County.

The undersigned, Heirs at law & Representatives of James L. Bryan, late of Queen Annes County decd. hereby signify my consent & agreement to the ratification of the Commissioners report heretofore filed in this cause and declining & renouncing any right of election to take said Real Estate at the valuation affixed thereto, pray the Court to pass an order directing the sale thereof by the aforesaid Commissioners - And as in duty &c -

Test:

Signed

William C. Bryan,

M. Brown,

In the matter of the petition of
John T. Norman & wife &c to val-
ue & divide the Real Estate of
James L. Bryan

In Circuit Court for Queen Anne's County,
To the Hon. J. B. Ricard, Judge of the Circuit
Court for Queen Anne's County, as one of the heirs at law and representatives of
James L. Bryan, late of Queen Anne's County deceased, I hereby signify to this Hon-
orable Court my consent and agreement to the ratification of Commissioners Report
filed in this cause, and declining and renouncing any right of election to take
said Real Estate in the proceedings in this cause mentioned at the valuation
affixed thereto by the Commissioners, pray the Court to pass and order directing
and empowering said Commissioners to proceed to sell same - And as in duty
bound &c

Test: M. Brown

James S. Bryan,

And afterwards to wit: On the 2nd day of August in the year Eighteen
hundred and sixty four, The Court passed the following Order to wit:

In the matter of the petition of
John T. Norman & Martha
Ann Norman, his wife &c to
value and divide the Real Es-
tate of James L. Bryan late
of Queen Anne's County dec^d.

In Circuit Court for Queen Anne's County,

The Report of the Commissioners heretofore appoin-
ted in this cause having been returned to this Court setting forth that the
Real Estate of James L. Bryan late of Queen Anne's County deceased is not sus-
ceptible of division in any of the methods specified in their Commission, and
John S. Willis Grantee and Assignee of Lewis Bryan; James S. Bryan and Wil-
liam C. Bryan, John T. Norman in right of his wife Martha Norman formerly
Martha Bryan (Edward) Cockey in right of his wife Emeline Cockey, formerly
Emeline Bryan. Lawrence L. Quinn in right of his wife Eliza Quinn formerly
Eliza Bryan, - Thomas R. Barville in right of his wife Julia Ann, Barville, former-
ly Julia Ann Bryan, James L. Roberson in right of his wife Mary Roberson, former-
ly Mary Bryan, William S. Hopkins in right of his wife Elizabeth Hopkins former-
ly Elizabeth Bryan, Lucie Bryan and Sarah A. Bryan, having filed in this cause
their written consent and agreement to the final ratification of aforesaid
Report of Commissioners and their written renunciation of the right of elec-
tion to take said Real Estate at the valuation affixed thereto by said
Commissioners and their written consent prayer and agreement to the pas-
sage of an order by this Court authorizing and empowering said Com-
missioners to proceed to sell said Real Estate - It is thereupon this second
day of August eighteen hundred and sixty four by the Circuit Court
for Queen Anne's County and by the authority thereof adjudged and order-
ed that the Real Estate of James L. Bryan dec^d in the cause mentioned
and described be sold by the Commissioners or a majority of them after hav-
ing given at least three weeks previous notice thereof by advertisement inser-
ted in a newspaper printed in Queen Anne's County and such other notices as
they may deem proper of the time, place manner and terms of sale which
terms shall be as follows: - one third of the purchase money to be paid in
cash on the day of sale and the balance to be paid in two equal instalments
with interest on each instalment as it falls due in twelve and eighteen mon-
ths from the first day of January next the present parties in interest to be enti-

titled to the rents for the current money; And the said Commissioners or a majority of them shall receive said cash payment and shall take the bond of the purchaser to the State of Maryland in penalty double the amount of the residue of said purchase money and with security to be by them approved to secure the payments of said credit portions of purchase money in manner and form as aforesaid to the parties entitled thereto. And as soon as convenient after said sale shall return to this Court a full and particular account of the proceedings relative thereto and the money and Bonds arising therefrom; and on the ratification of said sale and the payment of the whole purchase money; and not before the Commissioners or some of them to be named by this Court shall by a good and sufficient deed convey to the purchaser or purchasers the property to him her or them sold, free clear and discharged of all claims of the parties to this cause or any claiming by from or under them.

J. B. Ricard

Thereupon further process of and upon the premises aforesaid is further continued until the first Monday of May next, at which said first Monday of May in the Year Eighteen Hundred and sixty five, comes into Court here the said John F. Norman & Martha Norman his wife formerly Martha Bryan and Thos. R. Barillo and Julia Ann, Barillo his wife formerly Julia Ann, Bryan as by their Attorney aforesaid. And thereupon Charles Stevens, William B. Goodhand and William Henry Legg, a majority of the Commissioners named in the aforesaid petition & returns to the Court here their Report of sale and manner of proceeding as follows to wit:

In the matter of the petition of John F. Norman & Martha Norman, his wife &c to value & divide the Real Estate of James

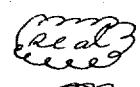
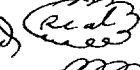
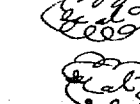
In the Circuit Court for Queen Anne's County

L. Bryan late of Q. A. Co. dec'd. To the Honorable J. M. Robinson Judge of the Circuit Court for Queen Anne's County - The report of the Commissioners a majority of the Commissioners in this cause, heretofore directed by the order of this Court, bearing date the second day of August of this year to make sale of the Real Estate of James L. Bryan, late of Queen Anne's County, State of Maryland deceased, in the proceedings in the cause mentioned and described, to your Honor respectfully sets forth that after having given at least three weeks previous notice of the time, place, manner and terms of sale by advertisements in the "Maryland Citizen" and the "Centreville Observer" two newspapers printed in the town of Centreville, County and State aforesaid and by handbills circulated throughout said County and adjoining Counties, Your Commissioners in pursuance of said notices did attend in Stevensville, on Kent Island County and State aforesaid, on Saturday the twenty fourth day of September of year of the date hereof, between the hours of ~~noon~~ and then and there did sell said Real Estate, situate on Kent Island aforesaid, called "Dundee" and commonly known as the "Beach Farm" and containing as reference to Plat and Surveyors Certificate filed in the cause One Hundred and twenty eight perches of land, at public Auction to Edmund Barillo of County and State aforesaid, he being there and there the highest bidder therefor, at and for the sum of thirty six dollars and twelve and a half cents per acre making the aggregate purchase money to be the sum of five thousand One Hundred and ninety six dollars and twenty six cents. Your Commissioners further set forth that said Edmund Barillo then and there paid to your Commissioners the

amount of said purchase money in cash, who received the same by the consent and agreement of all the parties interested therein - and your commissioners further set forth that having paid and retained for the costs of suit and expenses of sale &c to wit: One hundred and thirty two dollars and fifteen cents, they distributed the balance of purchasers money among the various parties entitled thereto according to their respective interests therein, They beg leave to submit the following statements as part of their Report to wit:-

To	John K. Willis assignee & Grantee of L. Bryan		\$459. 82 7/11
"	Martha Norman wife of John F. Norman		459. 82 7/11
"	Emeline Lockey wife of Edward Lockey		459. 82 7/11
"	Elija Quinn wife of Lawrence L. Quinn		459. 82 7/11
"	Julia Ann. Carville wife of Thomas R. Carville		459. 82 7/11
"	May Robinson wife of Jas L. Robinson		459. 82 7/11
"	Elizabeth Hopkins wife of William S. Hopkins		459. 82 7/11
"	Lucey Bryan		459. 82 7/11
"	Sarah A Bryan		459. 82 7/11
"	William C. Bryan		459. 82 7/11
"	James E. Bryan		459. 82 7/11
To	Attorney	\$ 20. 00	\$ 20. 00
"	Clerk. J. Waters	\$ 265	
"	" J. E. Dyott	11.60	14.25
"	Bill heretofore returned by these Commissioners		37.40
"	Wm B. Goodhand 2 days additional		4.00
"	Wm H. Legg do		4.00
"	Charles Stevens Do		4.00
"	Benj b Tolson Do		4.00
"	James H. Costin Crier		11.25
"	John B. Brown Counsel fee		10.00
"	Bursted & Lunday (Centerville Observer)		17.00
"	John T Hand (Maryland Citizens)		6.25
			132.15
			\$ 5190. 26

and your commissioners return here with the receipts for the various amounts paid by them as by the foregoing statement and the receipts of the various parties in interest for the sums received by them, as well as the written consent and agreement of the parties in interest to the immediate and final ratification of the sale so as aforesaid made by your commissioners. As Witness our hands and seals this day of November in the year Eighteen Hundred and sixty four

Chas. Stevens 
 William B. Goodhand 
 Wm Henry Legg 

In the matter of the petition to value & divide the Real Estate of James L. Bryan decd. In the Circuit Court for Queen Annes County.

It is hereby agreed by the undersigned being all the parties interested in the sales made by the commissioners in this cause, that the said sale by the commissioners be ratified and confirmed without any delay, Without our hands and seals this 27th day of September 1864.

- James E. Bryan.
- William L. Bryan.
- Thos. R. Canillo.
- Julia Ann Canillo.
- James L. Robinson.
- Mary Ann ^{nee} Robinson.
- John F. ^{marks} Norman.
- Martha A. Norman.
- Lawrence L. Quinn.
- Elyza Quinn.
- William S. Hopkins
- Elizabeth Hopkins
- Edward Cockey
- Emily Cockey.
- Sarah A. Bryan.
- John L. Willis.
- Suzie R. Bryan.

^{Test}
Thos. B. Canikrow

And thereupon the Court passed the following final Order of Ratifications to wit:
 In the matter of the petition of John F. Norman and Martha Norman his wife, &c to value & divide the Real Estate of James L. Bryan, late of Queen Anne's County

In the Circuit Court for Queen Anne's County,
 May Term 1865

A majority of the Commissioners in this cause having returned to this Court their report of the sale of the Real Estate in the proceedings mentioned and described heretofore ordered by this Court to be sold by them and all the cause parties to this cause having signified their consent and agreement to this Court, in writing, to the immediate and final ratification of said sale; it is thereupon this first day of May in the year eighteen hundred and sixty five by the Circuit Court for Queen Anne's County and by the authority thereof adjudged and ordered that said sale so as aforesaid reported by said Commissioners be finally ratified and confirmed.

In the matter of the petition of John F. Norman and Martha Norman his wife &c to value and divide the Real Estate of James L. Bryan, late of Queen Anne's County decd

In the Circuit Court for Queen Anne's County
 May Term 1865

To the Honorable John W. Robinson, Judge of the Circuit Court for Queen Anne's County -

The petition of Edmund Canillo of Queen Anne's County State of Maryland, to your honor respectfully shows that as will appear by reference to Commissioners Report filed in this cause, your petitioner became the purchaser of the Real Estate herein ordered to be sold by said Commissioners and by said ~~Commissioners~~ Report and other papers filed in the cause it will appear that your petitioner has fully paid and satisfied the purchase money thereof and that your petitioner is now entitled to a deed of conveyance of said Real Estate, Wherefore Your Petitioner prays your Honor to pass an order directing a deed of Conveyance of said Real Estate to be made to your petitioner to be executed and acknowledged agreeably to law and appointing some one of the Commissioners in the cause to execute such deed - and as in

duty bound &c

John B. Brown Atty
for Petitioner

and thereupon the Court passed the following Order to wit:

In consideration of the foregoing petition of Edmund Barville, this Court being fully satisfied that the purchase money for the land reported sold by him by the Commissioners has been paid to the persons entitled to the same; It is thereupon this fourth day of May in the year eighteen hundred and sixty five by the Circuit Court for Queen Anne's County and by the authority thereof adjudged and ordered that said Edmund Barville is entitled to a Deed of Conveyance of said Real Estate and that Charles Stevens one of said Commissioners, be and hereby is appointed to execute such deed of Conveyance, said deed to be by him executed and acknowledged agreeably to law.

Geo W. Robinson

The President, Directors and Company
of the Farmers Bank of the State of
Delaware

vs.

Catherine Temple, John b. Temple,
Robert L. Temple and W^m G. Temple.

Be it remembered that on this seventh day of
November in the year of our Lord one thousand eight
hundred and sixty three, The President, Directors and
Company of the Farmers Bank of the State of Delaware.
By John M. Robinson Esq. their solicitor, filed in the
Circuit Court for Queen Anne's County sitting as a
Court of Equity, their Bill of Complaint against
the said Catherine Temple, John b. Temple,

Robert L. Temple and William G. Temple. in the words following to wit:

To the Hon. R. B. Barnichael Judge of the Circuit Court of
Queen Anne's County in Equity.

The President Directors & Company of the Farmers Bank
of the State of Delaware humbly shows: that heretofore to wit on the twenty fifth day of
September in the year eighteen hundred and fifty two a certain William Temple of
the State of Delaware being indebted unto your orators in the sum of seventeen
thousand dollars and intending to secure the payment thereof unto your orators
by his deed of that date together with his wife Catherine Temple convey unto your
orators certain real estate, a portion of which is situate in the State of Maryland
in Queen Anne's County: to which said deed there is a condition annexed that it
be void on payment by the said William Temple to your orators of the aforesaid
sum of money with interest thereon as by a copy of said deed filed herewith as
part of this bill will more fully appear. And your orators further charges that there
still remains due on said Mortgage the sum of sixteen hundred and twenty
dollars with interest from Sept. 8 1862, the further sum of four thousand dollars
with interest from July 14 1863, and the further sum of four thousand dollars with inter-
est from said last date.

And your orator charges that since the execution of said deed the
said William Temple has departed this life, & that by his death without making
any disposition thereof the legal estate in the aforesaid mortgaged premises
has descended to William George Temple, John b. Temple and Robert L. Temple his
heirs at law and that the said John b. Temple and Robert L. Temple are infants
under the age of twenty one years, But your orators are advised that the said
real estate remains charged with the payment of the aforesaid debt and inter-
est and that the time limited by the said deed of Mortgage for the payment
thereof has elapsed. To the end therefore that the said defendants hereafter named
may answer the several matters & things hereinbefore stated as fully & particu-
larly as if they were herein again repeated and the defendants were thereunto
specially interrogated and that the mortgaged premises or so much thereof as may
be necessary for the purposes may be sold for payment to your orators of the aforesaid
debt with interest and that your orators may have such further & other relief as
their case may require.

May it please your honor to grant unto your orators an order of
publication giving notice to the said Catherine Temple widow of the said Willi-
am Temple and the said John b. Temple and Robert L. Temple and William
G. Temple all of whom are nonresidents, of the substance & object of this bill &
warning them to appear in this court in person or by solicitor on or before a
certain day to answer the premises & show cause if any they have why a decree
ought not to pass as prayed &c.

J. M. Robinson
Atty. for Compt.

The Exhibit referred to in the foregoing Bill of Complaint, is in the words following to wit:

Queen Anne's County to wit: be it remembered that on the twelfth day of July eighteen hundred and fifty three: the following Mortgage Deed was brought to be recorded to wit:

This Indenture made this twenty fifth day of September in the year of our Lord one thousand eight hundred and fifty two, between William Temple of the town of Smyrna, Kent County and State of Delaware and Catherine his ^{wife}, of the first part, and the President, Directors and Company of the Farmers Bank of the State of Delaware, a corporation created by the laws of the aforesaid State of Delaware, of the second part: Whereas the aforesaid William Temple is indebted to the aforesaid The President, Directors and Company of the Farmers Bank of the State of Delaware by certain judgement bonds and promissory notes hereinafter mentioned, in divers sums of money amounting in the aggregate to a debt of seventeen thousand dollars, including interest, or thereabouts, the whole of which is now due and payable: Now Therefore This Indenture Witnesseth, that the said parties of the first, as well for and in consideration of the aforesaid debt, or sum of seventeen thousand dollars, lawful money of the United States of America, and for the better securing the payment thereof, with interest, unto the aforesaid parties of the second part in discharge of the aforesaid indebtedness, as of the further sum of one dollar like lawful money to them the said parties of the first part in hand paid by the said parties of the second part, at or before the ensembling and delivery hereof, the receipt whereof is hereby acknowledged, have and each of them hath granted, bargained, and sold, aliened, enfeoffed, released, conveyed and confirmed, and by these presents do and each of them doth grant, bargain and sell, alien, enfeoff, release, convey and confirm unto the said parties of the second part their successors and assigns, the following lands, tenements and hereditaments, to wit: All that Lot, tract, piece or parcel of ground, with a dwelling house, Store house and wharf thereon erected, situated at Smyrna Landing in Absquequinnunk Hundred New Castle County and State of Delaware aforesaid, adjoining lands late of Robert Patterson deceased: Also all that tract or parcel of land situated in the upper part of Queen Anne's and Caroline Counties in the State of Maryland, adjoining lands of William Temple senior and other lands, and containing about Four hundred and thirty seven acres more or less - the improvements upon which tract of land, or farm, are a dwelling house and other buildings: also all that other farm, tract or parcel of land situated in the upper part of Caroline County and State of Maryland aforesaid adjoining other lands of the aforesaid William Temple party hereto, lands of the heirs of Henry and Sylvester Baggs and lands of others and containing one hundred and eighty acres more or less, the improvements upon ^{which} are a dwelling house and other buildings: and also all that other tract or parcel of land situated in the upper part of Queen Anne's and Caroline Counties in the State of Maryland aforesaid, adjoining lands of Henry Wheatley and lands of others and containing forty acres more or less, the improvements upon which are a dwelling house and other buildings: Together with all and singular, the buildings fixtures and improvements, woods, ways, waters, and water courses, easements, profits, commodities, hereditaments and appurtenances to the same belonging, or in any wise appertaining, and the reversions and remainders rents, issues and profits thereof: and also all the estate, right, title, property, interest, claim and demand of them the said parties of the first, and of each

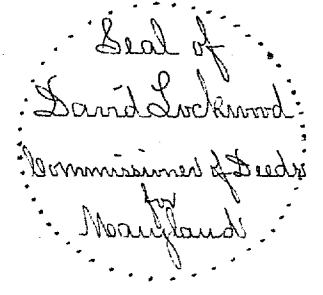
of them, of, in and to the same and every part thereof, either at law or in equity: To have and To Hold the lands, tenements, hereditaments and premises hereby bargained and sold, or intended so to be, with the appurtenances unto the said parties of the second part their successors and assigns, to and for the only proper use, benefit and behoof of them the said parties of the second part their successors and assigns forever. Provided always nevertheless and it is hereby expressly understood and agreed by and between the aforesaid parties hereto, to be the true intent and meaning of these presents, that if the aforesaid William Temple, his heirs, executors and administrators do and shall well and truly pay or cause to be paid unto the aforesaid parties of the second part, their successors or assigns the aforesaid debt or sum of seventeen thousand dollars lawful money as aforesaid, with lawful interest thereon from the date hereof, on demand, and also the costs of making and recording this instrument, then as well this present Indenture and every thing herein contained as the securities mentioned in the recital hereof, shall cease and determine and become utterly null and void, any thing herein contained to the contrary thereof in any wise notwithstanding, To avoid all doubt and misapprehension, it is expressly understood by the parties hereto that the securities referred to in the recital hereof, the debt whereof, in the aggregate, this Mortgage is intended to secure the payment, are the following, and they only A judgement bond for the real debt of two thousand dollars, now reduced to one thousand six hundred and twenty dollars, dated 9th July 1845: Another judgement bond for the real debt of four thousand dollars dated 14th October 1851. Another judgement bond for the real debt of five thousand dollars dated 14th October 1851. A promissory note, indorsed by the payers, for the sum of one thousand dollars dated October 7th 1851, another promissory note, indorsed by the payer for the sum of one thousand, three hundred and fifty dollars dated June 29th 1852, another promissory note indorsed by the payer for the sum of two thousand dollars dated July 27th 1852: and another promissory note indorsed by the payer for the sum of fifteen hundred dollars, dated August 24th 1852, And it is also understood that altho' either or all of the aforesaid notes may be renewed at the said Banks by the negotiation of new ones by way of renewal of them, yet this Mortgage shall embrace the latter as fully as if they were included in the above schedule, whilst any part of the money secured by the said notes remains unpaid, altho' new notes are substituted for them, yet the debt of such shall be considered to be existing and to be secured by this Mortgage. In witness whereof the said William Temple and Catherine his wife have hereunto set their respective hands and seals the day and year first herein written,

Signed, sealed and delivered in
the presence of us
W^m Ringgold D. Lockwood.

W^m Temple Seal
Catherine Temple Seal

State of Delaware Kent County, ss: Be it remembered that on the twenty fifth day of September in the year of our Lord one thousand, eight hundred and fifty two, before me the subscribed a commissioner for the State of Maryland for taking acknowledgements in the State of Delaware personally appeared William Temple and Catherine his wife, they being known by me, to be the persons who are described as and professing to be the parties to the aforesaid Deed or Indenture and did severally acknowledge the said indenture or instrument of writing to be their respective act and deed: the said Catherine Temple having and sealed said Indenture before me out of the presence and hearing of her husband, and the said Catherine Temple being by me examined out of the presence and

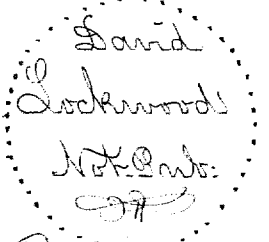
hearing of her said husband" whether she did execute and acknowledge the same freely and voluntarily and without being induced to do so by fear or threats of or ill usage by her husband or by fear of his displeasure" declared and said that she did.



In testimony whereof I have herunto subscribed my name and affixed my Commissioners Seal of office at Smyrna in the County and State aforesaid the day and year first above written.

D. Lockwood, Commissioner

State of Delaware Kent County ss: Be it remembered that on this twenty fifth day of September A. D. 1852 personally came before me David Lockwood a Notary Public for the State of Delaware, William Temple and Catherine his wife, parties to this Indenture, known to me personally, to be such, and severally acknowledged this Indenture to be their deed, and the said Catherine Temple being at the same time privately examined by me, apart from her husband, acknowledged that she executed the said Indenture willingly, without compulsion, or threats or fear of her husband's displeasure



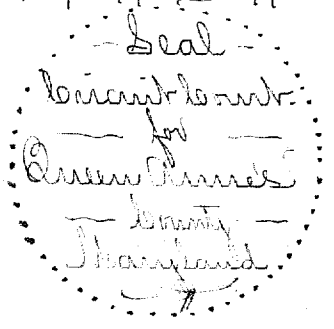
Witness my hand and Notarial Seal of office at Smyrna in the County and State aforesaid, the day and year first above written.

D. Lockwood Notary Public.

Received, July 12th 1853. of William Temple, six dollars, the stamp duty chargeable on this instrument of writing.

John Palmer Clerk of Queen Anne's County Circuit Court.

State of Maryland, Queen Anne's County, to wit: - I hereby certify that the above and aforesaid, is truly taken and copied from Liber J. P. No. 1, folios 469, 470 & 471. one of the Land Record Books of Queen Anne's County.



In testimony whereof I hereto subscribe my name and the Seal of my office affix this 7th day of November Eighteen hundred and sixty three.

James Wooters, Clerk of Circuit Court for Queen Anne's County.

Thereupon the following Powers of Attorney were filed to wit: -

Dover Delaware
Oct 24. 1863.

To John M. Robinson Esq.
Atty at Law,
Bentreville Md.
Sir,

You are hereby authorized to proceed in behalf of the Farmers Bank of the State of Delaware to collect a Mortgage recorded in Queen Anne's County in the State of Maryland, made to said Bank by William Temple now lately deceased, and his wife, to secure the payment of a certain sum of money and interest to said Bank: and when you have collected the said mortgage, to pay over the money to the Cashier of the Farmers Bank at Dover.



Witness the Corporate Seal of the aforesaid corporation and the hand of Henry Ridgely President at Dover and State of Delaware the Day and year aforesaid.

H. Ridgely Pres.

President & Directors
Bank, State of
Delaware
vs.
Catherine Temple
& others.


Circuit Court of
Queen Anne's County.
In Equity

To John B. Brown Esq.

You are hereby authorized to appear for me in said suit & admit the matters & things stated in said Bill of complaint.

Witness my hand & seal this day of Nov 1863.

Test
Jno W. Brewley

Catherine Temple 

Smymna Nov. 4th 1863.

John B. Brown Esq.
Dr Sir

You are hereby authorized to appear for me in the suit of the Farmers Bond, against the estate of my Father.

Wm. G. Temple

The following Answers were filed to wit:-
President, Directors & Company
of Farmers Bank of State of Delaware
vs.
Catherine Temple & others

In Circuit Court for
Queen Anne's County in Equity
Nov. Term 1863

To the Honorable R. B. Carmichael, Judge of the Circuit Court for Queen Anne's County in Equity -

The answer of William George Temple to the bill of complaint of the President, Directors, & Company of the Farmers Bank of the State of Delaware against him & others in the Circuit Court for Queen Anne's County exhibited -

This defendant admits the several matters and things charged in the complainant's bill to be true & submits to such decree in the premises as may be right - as in duty lie.

J. B. Brown
Sol for Respondent.

It is agreed that above answer shall be taken without affidavit

J. B. Brown
Depts Solicitor

Jno W. Robinson
Sol for complt.

President, Directors & Company
of The Farmers Bank of the State of
Delaware
vs.
Catherine Temple & others

In Circuit Court for Queen
Anne's County in Equity
Nov. Term 1863.

To the Honorable R. B. Carmichael, Judge of the Circuit Court for Queen Anne's County in Equity -

The answer of Catherine Temple to the Bill of

Complaint of the President, Directors & Company of the Farmers Banks of the State of Delaware against her & others in the Circuit Court for Queen Anne's County in Equity exhibited -

This Defendant admits the several matters & things charged in the complainants bill to be true, and submits to such decree in the premises as may be right -

Asas in duty &c

J. B. Brown
Sol^r for Respondent.
Jno M. Robinson }
Sol for Compt. }
John B. Brown }
Depts Solicitor }

It is agreed that above answer shall be taken without affidavit.

President, Directors & Company of the Farmers Banks of the State of Delaware
vs
Catherine Temple & others } In Circuit Court for Queen Anne's County in Equity.
Nov. Term 1863.

To The Honorable R. D. Hammichael, Judge of the Circuit Court for Queen Anne's County in Equity -

The joint & several answers of John C. Temple & Robert L. Temple, Infants under twenty one years of age: to the bill of Complaint of the President, Directors & Company of the Farmers Banks of the State of Delaware against them & others in the Circuit Court for Queen Anne's County in Equity exhibited -

These Defendants cannot admit any of the matters & things alleged in said Bill and being Infants of tender years submit their rights to the protection of this Court.

Thos J. Keating
Guardian for
J. C. Temple
Infants
J. B. Brown, Solicitor

State of Maryland }
Queen Anne's County } To wit; - On this 30th day of November 1863 personally appeared before the subscriber a justice of the Peace of State & County aforesaid, Thomas J. Keating, named in foregoing answer & made affidavit in due form of law that the matters and things stated in said answer are true to the best of his knowledge & belief.

J. H. Rowleson. J.P.

Whereupon the following agreement was filed to wit:-

President, Directors & Company of the Farmers Banks of the State of Delaware
vs
William Temple's Heirs &c } In the Circuit Court for Queen Anne's County in Equity
November Term 1863.

It is agreed that Commission to take testimony shall issue in this cause, to Benjamin H. Wright of Queen Anne's County.

November 30, 1863.

John M. Robinson
Sol for Compt.

J. B. Brown
Sol. for Defend.

Whereupon a Commission was issued following to wit:-

Queen Anne's County, to wit: The state of Maryland to Benjamin N. Wright of Queen Anne's County, greeting: Be it known that you are appointed Commissioner to examine evidences in a cause depending in the Circuit Court for Queen Anne's County, between the President Directors and Company of the Farmers Bank of the state of Delaware, Complainants, and Catherine Temple, William G. Temple, John G. Temple, and Robert L. Temple, Respondents: You are therefore here-



by required, having first taken the oath hereto annexed, and also administered the annexed oath to the person whom you shall appoint as clerks to attend the execution of this Commission, that at such time and place as to you shall seem convenient, you cause to come before you all such evidences as shall be named and produced to you by either the Complainant or Respondents, and that you examine them on their coporal oaths to be by you administered upon the Holy Evangelists of almighty God, touching their knowledge or remembrance of any thing that may relate to the cause aforesaid, and that you cause notice to be given to the parties or their Solicitors of the execution of this Commission before you execute the same; and having reduced the depositions of the witnesses so taken by you into writing, you send the same with this Commission, close under your hand and seal, to the said Circuit Court with all convenient speed: Witness the Honorable Richard B. Carmichael, Judge of the said Court, the second day of November eighteen hundred and sixty three.

Given the 30th day of November 1863.

James Wooters, Clerk.

J. M. Robinson Esquire, Solicitor of Complainants,

J. B. Brown Esquire, Solicitor for Respondents.

Commissioner's Oath.

You Benjamin N. Wright shall, according to the best of your skill and knowledge, truly, faithfully and without partiality, to any or either of the parties in this cause, take the examinations and depositions of all and every the witnesses produced and examined by virtue of the Commission hereto annexed, upon the interrogatories now or which may hereafter before the said Commission is closed, be produced to and left with you, by either of the said parties, so help you god

Sworn before
J. H. Rowleson J. P.

Clerk's Oath.

You Edwin H. Barron shall truly, faithfully and without partiality, to any or either of the parties in this cause take, write down and transcribe the deposition of all and every the witnesses produced before and examined by the Commissioners named in the Commission hereto annexed, as far forth as you are directed and employed by the said Commissioners, to take, write down and transcribe the said deposition or any of them, so help you god.

Sworn before
Benja N. Wright.

Commissioner

And afterwards Benjamin N. Wright Esquire, The Commissioner named in the foregoing Commission, made return of the execution of said Commission in the manner and form following to wit:-

President, Directors & Company
of the Farmers Banks of the State of
Delaware

vs
Wm. G. Temple & others

In the Circuit Court of
Queen Anne's County, in Equity

Nov. Term 1863.

Interrogatories propounded to John W. Temple a competent witness
by complainants,

1. are you or not acquainted with the parties to this suit & if year how long have you known them,
2. Were you or not acquainted with William Temple late of Smyrna Delaware, & if year how long have you known him - when did he die & what children did he leave,
3. Do you or not know the several tracts of land mentioned in the proceedings,
4. Do you or not know whether the said William Temple in his life time sold any of the aforesaid tracts of land,
5. What in your judgement is the value of the real estate mentioned in said Mortgage.

Geo. M. Robinson
Sol for Complt.

To the Honorable Richard B. Barnichael Judge of the Circuit Court
for Queen Anne's County,

At the execution of the annexed Commission issued out of the Circuit Court for Queen Anne's County, and to me directed, and empowering me to examine evidence in the cause depending in said Court, between the President, Directors and Company of the Farmers Banks of the State of Delaware, Complainants and Catherine Temple, William George Temple, John G. Temple and Robert L. Temple, Respondents, I, Benjamin H. Wright Commissioner therein named, having taken the oath annexed to the said Commission, and having appointed Edwin H. Barron, my clerk, and administering to him the oath annexed to said Commission to be taken by him, did in Kentreville in Queen Anne's County aforesaid on the 7th day of December in the year eighteen hundred and sixty three, proceed to take the following depositions, the formal notice to the Solicitors having been received.

B. H. Wright
Commissioner

John W. Temple. - a witness of lawful age produced on the part the Complainant being duly sworn and examined to interrogatories, filed with Commissioner by complainant and herewith returned, deposes and says.

- 1st Interrogatory. He knows there is such a Bank at Dover now doing business, and that he has known the Defendants for a number of years,
- 2nd Interrogatory. He has known him for a great many years, he died some time during the present year and left Catherine Temple his widow surviving, and following children, William George, John G. & Robert L. Temple.
- 3rd Interrogatory. He does
- 4th Interrogatory. He knows that he sold sixty or seventy acres of the first tract, all of the second tract to withe the purchase money of which has been paid and a deed been executed by said Wm. Temple to

to witness & also about fifteen acres of third tract leaving, about twenty five acres and the purchase money paid & deed executed.

5th Interrogatory. The first tract after deducting the sixty or seventy acres sold to witness worth about thirty five hundred dollars, and the twenty five acres of the third tract worth about two hundred dollars.

John W. Temple.

In addition to the above there was offered as evidence a copy of a Mortgage from said W^m Temple to Farmers Bank of State of Delaware and a Statement from L. P. Wilds, which are herewith returned.

There being no other witness to be examined, and neither party desiring further time for the production of evidences the Commissioner closed said Commission, and herewith return the same under his hand and seal this 7th day of December 1863.

Benja N. Knight Seal

Expenses for executing, Commission.

Commissioners fee for 1. day. and oaths -	\$ 4.05	} \$7.30
Clerks " " " "	\$ 2.50	
1. Witness " " " "	.75	

Wherefore the Court passed the following decree to wit:-

President, Directors & Co.
of the Farmers Bank of the State of
Delaware.

vs
Heirs of W^m Temple

In the Circuit Court of
Queen Anne's County
In Equity.

This cause standing ready for hearing and being submitted without argument, the proceedings were read and considered -

It is thereupon this twenty sixth day of January in the year of our Lord one thousand eight hundred and sixty three by Richard B. Lammichael Judge and by the authority of this Court adjudged, ordered, and decreed, (that unless the defendant shall on or before the 18th day of January next pay or bring into this Court to be paid unto the complainant the sum of six thousand two hundred & seventy dollars & thirty two cents with interest thereon from the 8th of Jan'y 1864, until paid, or brought in as aforesaid together with the complainants cost of this suit to be taxed by the clerks, the Mortgage premises in the proceedings mentioned, excepting the part thereof sold by William Temple in his life time, be sold.

That John M. Robinson of Queen Anne's County State of Maryland be and he is hereby appointed Trustee, to make such sale, and that the course and manner of his proceedings shall be as follows: He shall first file in the clerks Office a bond to the State of Maryland executed by himself, with a surety or sureties to be approved by the clerks in the penalty of Ten 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 Mortgage premises, having first given at least three weeks previous notice, inserted in some newspaper printed in the town of Centerville, and such other notice as he may think proper, of the time, place manner and terms of sale; which terms shall be as follows: Two hundred dollars cash, & residue in nine months from day of sale, the whole to bear interest from the day of sale,

and the payment thereof to be secured by the Bonds of the purchaser, with a surety or sureties to be approved by the Trustee, 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 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.

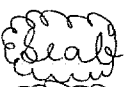
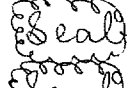

Rich^d Bth Lammichael,

Thereupon John M. Robinson Esquire the Trustee named in the foregoing Decree filed in Court here the following bond to wit:—

Know all men by these presents that, We, John M. Robinson John Wilkinson & John W. Wilmer of Queen Anne's County, in the State of Maryland are held and firmly bound unto the said State of Maryland in the full and just sum of ten thousand dollars current money to be paid to the said State or its certain attorney to which payment well and truly to be made & done we bind ourselves & each of us our & each of our heirs, Executors and administrators, jointly and severally firmly by these presents sealed with our seals and dated this day of January in the year Eighteen Hundred and Sixty four,

Whereas by a decree of the Circuit Court of Queen Anne's County in Equity and passed in a cause in which the President Directors &c. are complainants and William G. Temple and others are defendants the above bound John M. Robinson was appointed Trustee to make sale of certain real _____ in the proceedings mentioned. Now the condition of the above obligation is such that if the above bounden John M. Robinson do and shall well & faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any further decree or order in the premises then the above obligation to be void, otherwise to remain in full force & virtue in Law.

Signed Sealed &
delivered in presence of
George M. Smith

John M. Robinson 
J. Wilkinson 
John W. Wilmer 

Thus endorsed to wit:— Security approved and Bond filed January 21. 1864.

S. C. Drott, Clerk.

Thereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of January next, which said fourth Monday of January in the year Eighteen Hundred and Sixty four, comes into Court here as well the said President, Directors & Company of the Farmers Bank of the

State of Delaware by their solicitor aforesaid as the said Catherine Temple, John B. Temple, Robert L. Temple and William G. Temple by John P. Brown Esquire their solicitor aforesaid, and thereupon further process of and upon the premises aforesaid, is further continued until the first Monday of May next, at which said first Monday of May in the year last aforesaid come into Court here as well the said President, Directors & Company of the Farmers Bank of the State of Delaware by their solicitor aforesaid as the said Catherine Temple, John B. Temple, Robert L. Temple and William G. Temple by their solicitor aforesaid. And thereupon John M. Robinson Esquire the Trustee filed in Court here his report of Sales in the words following to wit:—

Farmers Bank of the State of Delaware vs. Wm Temple & Co. In the Circuit Court of Queen Anne's County In Equity May Term 1864.

To the Hon. James B. Ricard Judge of the Circuit Court of Queen Anne's County In Equity. The report of John M. Robinson Trustee appointed by the decree in the cause to make sale of the real estate in the proceedings mentioned shows: That after giving bond with security for the faithful discharge of his Trust as required by said decree and giving notice of the time place manner and terms of Sale by advertisement in the Maryland Citizen a newspaper printed in Centerville Queen Anne's County for more than three successive weeks before the day of Sale & by hand bills extensively circulated throughout said County he did pursuant to said notice offer at Public in Templeville in said County being a village near by said real estate on the 30th day of January in the year Eighteen Hundred and Sixty four between the hours of two and four o'clock P. M. all that tract of land called "Blarks Runbles", containing three hundred & twenty one acres three rods & twenty nine perches of land and that John B. Benley being the highest bidder was declared the purchaser thereof at and for the sum of twelve dollars per acre making the whole purchase money three thousand Eight Hundred & Sixty three dollars and forty three cents, and that the said John B. Benley afterwards desired and requested that John B. Temple should be returned the purchaser of said tract of land he the said Benley declining to take said farm and the said John B. Temple agreeing to take it at the aforesaid price, and that the said John B. Temple paid unto your Trustee the sum of Two Hundred dollars being the cash payment and executed his bond with approved security to your Trustee for the balance of the purchase money.

In the next place your Trustee offered for sale a small tract of land called the "Fork" adjoining the aforesaid tract or parcel of land called "The Forks", containing twenty one acres & thirty nine perches and received therefor a bid of eight dollars per acre, but deeming this wholly inadequate to the value of said tract he stopped the sale for same. afterwards the said John B. Temple agreed to give twelve dollars per acre for said tract & your Trustee considering this its full value sold the same to said Temple for said sum making the purchase money three hundred and fourteen dollars and ninety three cents, for which the said Temple executed his bond to your Trustee with approved security.

J. M. Robinson

State of Maryland, Queen Anne's County, to wit:— on the 21st day of May in the year 1864 before the subscribed a Justice of the peace in and for said County

personally appeared the within named John M. Robinson Trustee & made oath that the matters & things stated in the foregoing report are true to the best of his knowledge and belief & that the sales therein reported were fairly made.

Jno. B. Rowlenson J. P.

Amnt. of Sale \$ 3863.43
 1st tract 314.93
 Whole Amnt of Sale \$ 4178.36

Whereupon the Court passed the following order to wit:-

Farmers Bank of the
 State of Delaware
 vs.

Heirs of William Temple

In the Circuit Court of Queen Anne's
 County May Term 1864.

Ordered that the sales made and reported by John M. Robinson Trustee for the sale of the real estate of William Temple deceased be ratified and confirmed unless cause to the contrary thereof be shown on or before the fourth Monday of July next provided a copy of this order be inserted in some newspaper printed in Centreville once in each of three successive weeks before the 30th day of June next. The report states the amount of sales to be 4178.36

Samuel E. Dyott, Clerk.

Whereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of July next at which said fourth Monday in July in the year Eighteen Hundred and Sixty four comes into Court the said President Directors & Company of the Farmers Bank of the State of Delaware by their Solicitor aforesaid and the said Catherine Temple, John C. Temple, Robert S. Temple, and William G. Temple, by their Solicitor aforesaid and thereupon the Court passed the following order to wit:-

Farmers Bank of the
 State of Delaware
 vs.

William Temple Heirs

In the Circuit Court of Queen Anne's County
 In Equity, July Term 1864.

Ordered that the sale made and reported by John M. Robinson Trustee in above cause be and the same is hereby ratified & confirmed no cause to the contrary thereof having been shown, although notice appears to have been given as directed by the proceeding order. The Trustee is allowed the usual commission and expenses other than fees & mal.

J. B. Ricard
 August 2^d 1864

Whereupon further process of and upon the premises aforesaid is further continued until the first Monday of November next at which said first Monday in November in the year Eighteen Hundred and Sixty four comes into Court the said President, Directors & Company of the Farmers Bank of the State of Delaware by their Solicitor aforesaid and the said Catherine Temple, John C. Temple, Robert S. Temple and William G.

Temple by their Solicitor aforesaid and thereupon Philemon B. Hopfer Esquire the auditor of said Court filed in Court here the following report to wit:

The Trust, Directors & Company of Farmers Bank of Delaware }
 William Temple's Heirs &c } In the Civ. Court for D. Anne's County sitting as a Court of Equity.

To the Hon. J. B. Rocaud Judge.

The Auditor reports that he has examined the proceedings in this cause and has therefrom prepared the following account between the real Estate therein mentioned and J. M. Robinson Esq. Trustee for the Sale thereof. He has allowed to the Trustee his commission according to the seal of this Court and his expenses according to the account thereof filed by him, to the complainant and Defendants each their costs of suit, and the auditor his fee for stating the account. The Balance after these allowances to wit the sum of \$ 3869.13, he has allowed to the complainant in part payment of the decree in the cause. All of which is respectfully submitted.

P. B. Hopfer, auditor
 Nov. 5, 1864

To the real estate of William Temple deceased in acct with J. M. Robinson Esq. Trustee &c.

1864 July 20	To The Trustee for his commission			313	13
	To the Trustee for his expenses on acct of same filed			39	50
	To the complainant for their costs of suit viz:				
	James Broten clerk	3	15		
	Samuel C. Dyott clerk	9	50		
	Solicitor	30	00		
	Commissions to take	7	3	40	25
	To the Defendants for their costs of suit viz:				
	James Broten clerk		95		
	Sam. C. Dyott clerk	1	90		
	Solicitor	10	00	12	85
	To the auditor for stating this acct			4	50
				389	23
	To the President, Directors & Company of the Farmers Bank of the State of Delaware, complainant, in part of the decree in this cause			3869	13
				4178	36
bal.	By amount of proceeds of Sale as per Trustees report of same filed 21 st May 1864.			4178	36
				4178	36

P. B. Hopfer Auditor
 Nov. 5th 1864

And afterwards the Court passed the following order to wit:-

Ordered this sixteenth day of November in the year Eighteen Hundred and sixty four that the within audit be ratified and confirmed and that John M. Robinson Trustee be authorized and directed to pay the proceeds arising from the sale of within real estate to the parties entitled according to said audit, together with the interest received by him

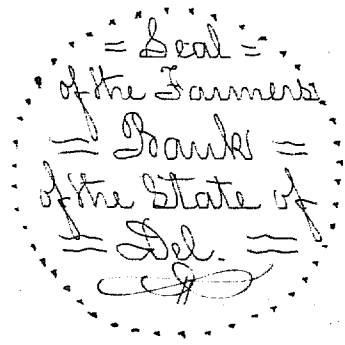
J. B. Ricard

Therefore further proceeds of and upon the premises aforesaid is further continued until the fourth Monday of January next, at which said fourth Monday in January in the year Eighteen Hundred and sixty five, comes into Court the said President, Directors and Company of the Farmers Bank of the State of Delaware by their Solicitor aforesaid and the said Catherine Temple, John C. Temple, Robert L. Temple, and William L. Temple, by their Solicitor aforesaid, and therefore the Honorable John M. Robinson, Judge of your said Court having announced his disqualification to try said cause the following agreement is filed to wit:-

President & Directors of the Farmers Bank of the State of Delaware
vs.
The heirs at Law of William Temple

In the Circuit Court of Queen Anne's County In Equity

John M. Robinson Esq. Sol for complainants have been Elected as Judge of the 10th Judicial Circuit of Maryland it is hereby agreed between the parties to the above cause that Lloyd Tilghman Esq. of Queen Anne's County be appointed as Special Judge in above suit.



H. Ridgely Pres.
P. B. Hooper Sol. for J. W. Temple
John B. Brown Solicitor for defendants -

Thereupon John W. Temple by P. B. Hooper Esquire files in Court here the following Petition, to wit:-

The Farmers Bank of Delaware
vs.
Catherine Temple & others

In the Circuit Court for Queen Anne's County

To The Hon. J. M. Robinson Judge of the Circuit Court for Queen Anne's County. The petition of John W. Temple respectfully represents that since the audit has been made in the above cause and ratified, he has been apprized for the first time that the Mortgage filed in this cause, and which was the foundation of the decree passed in the cause, does not contain the affidavit of the Mortgage as required by the laws of the State of Maryland; and that in consequence thereof his title as purchaser is liable to be disturbed upon the suit of other creditors of the said William Temple the Mortgagor, if there be other creditors, and that the same may be again sold at the suit of said creditors, thereby working a total loss to your petitioner of the purchase money paid by him for the property sold by the Trustee, the proceeds of which have been distributed by the aforesaid auditors Report and account. Your petitioner

makes known to your Honor that he was of opinion that the land being decreed to be sold by the authority of this Court, would confer a valid title upon the purchaser and that he bid for and became the purchaser under that impression, and that he was entirely ignorant of any thing, that could be presented, which would in any degree interfere with or destroy the title which he thought he was purchasing under said decree - Your petitioner is also advised that he may be protected in his said purchase, and that he is entitled to such protection, by having the ratification of the said auditors report stricken out, and by giving notice to all the creditors of the said William Temple to file their claims, properly authenticated with the clerk of this Court on or before a certain day to be named by the Court when the cause shall be again referred to the auditor with instructions to make a new account distributing, said proceeds of sale according to the rights of all creditors whose claims shall be so filed in accordance with notice given them - Your petitioner further makes known to your Honor that the price paid by him for the said real estate was a full equivalent for the same, free and disincumbered of all liens or claims whatsoever, and was as much as it would have brought in the belief of your petitioner if the title had been warranted to be at the time without blemish -

Your petitioner therefore prays your Honor, to pass an order cancelling the ratification of said auditors Report, and requiring such notice, as your Honor may deem proper, to be given to the creditors of the said William Temple to file their claims properly authenticated, with the clerk of this Court; and that the said proceeds of sale may be so distributed hereafter under the order of this Court as will protect your petitioner in his said purchase; and he prays your Honor for such other and further relief as his cause may require.

And as in duty &c.

P. B. Hopper
Sol. for Petitioner

State of Maryland, Queen Annes County to wit:

I hereby certify that on this 11th day of January in the year Eighteen Hundred and sixty five before me the subscriber a Justice of the Peace of the said State in and for said County personally appeared John W. Temple and made oath in due form of law, that the facts stated in the foregoing petition are true, to the best of his knowledge and belief

Sworn before and certified by
Jno. H. Rowhison J. P.

Stamp:
L. H. R.
= 05 =
cents.

Thereupon further process of and upon the premises aforesaid, is further continued until the first Monday of May next at which said first Monday of May in the year Eighteen Hundred and sixty five, comes into Court the said President, Directors & Company of the Farmers Bank of the State of Delaware by their Solicitor aforesaid and the said Catherine Temple, John W. Temple, Robert L. Temple and William G. Temple by their Solicitor aforesaid, and afterwards upon the eleventh day of April 1865. the following answers and agreements were filed to wit:

Farmers Bank of the State of Delaware
vs
William Temple & Heirs

In the matter of the Petition
of J. W. Temple
Jany Term 1865.

The answer of the President and directors of the Farmers Bank of the State of Delaware by Thomas J. Keating their Solicitor to the petition of John W. Temple against them and others in above suit Exhibited.

These defendants admit the several matters & things charged in said petition to be true, except so much thereof as alleges that the title of of the same petitioned may or could be disturbed by other Creditors of the said William Temple deceased. These defendants claiming a specific lien upon the fund in hand by virtue of their said Mortgage and decree and Sale passed thereon & reserving all their rights in regard to the final distribution submit to such decree or order in the premises as may be right &c and as &c.

Thos. J. Keating
Solicitor for complainant

It is agreed that the above answer shall be taken without affidavit & the papers submitted to the Court.

John B. Brown Solicitor
for Catherine Temple & others
Thos. J. Keating Solicitor
for complainant.

Farmers Bank of the State of
Delaware
vs.
William Temple & heirs

In the matter of the Petition
of John W. Temple
January Term 1865

The joint & several answers of Catherine C. Temple, John C. Temple, Robert L. Temple, and William L. Temple, by John B. Brown their Solicitor, to the petition of John W. Temple against them in above suit Exhibited. These defendants admit the several matters & things charged in said petition to be true & submit to such decree or order in the premises as may be right and as in duty &c

John B. Brown
Solicitor for Defendants

It is agreed that the above answers shall be taken without affidavit & papers submitted to the Court.

John B. Brown
Solicitor for Defendants
Thos. J. Keating
Solicitor for complainant

And thereupon the Court passed the following Order to wit:

President & Directors of the
Bank of the State of Delaware
vs.
Catherine Temple & others

In the matter of the Petition of John W. Temple, in the Circuit Court of Queen Anne's County in Equity, January Term 1865

It is hereby adjudged ordered and decreed that the audit filed in above cause be declared null & void: & that John M. Robinson Trustee give notice to the creditors of William Temple deceased to file their claims with the proper vouchers thereof in the Clerk's Office of the Circuit Court for Queen Anne's County on or before the 30th day of April next provided that the said Trustee shall cause said notice to be published in some newspaper printed in Queen Anne's County for three successive weeks before the said

30th day of April

Lloyd Talghman
Special Judge,

P. B. Hooper Esquire, Auditor files the following report to wit:-

The President Directors & Company
of the Farmers Bank of Delaware
vs.
William Temple's Heirs } In the Circuit Court for Queen Anne's
County setting as a Court of Equity

To the Hon. The Judge of the Circuit Court for Queen Anne's County,
The auditor reports that the notice to the creditors of William Temple having expired on the 29th ulto he was requested by the Trustee to prepare another audit in time to be disposed of during the present May term of Court. To this end he has examined the proceedings, and finding no other claim filed against the real estate but the one allowed in the former audit he has made no change in the statement of the account from the one first made. There have been some additional costs since the filing of the first audit which have not been furnished to the auditor, and are therefore not allowed in the following account: The Auditor suggests that when furnished, provision can be made for their payment out of the interest in the hands of the Trustee by the order of your Honor, with these explanations he submits the following account.

P. B. Hooper
Auditor
May 1st 1865.

In. The Real Estate of William Temple deceased in acct with J. M. Robinson Esq. Trustee.

1864					
May 30	To the Trustee for his commission			212	13
	To Trustee for his expenses as per account of same filed			39	50
	To the complainants for their costs of suit viz:				
	James Woters clerk	3	15		
	Saml. C. Dgott clerk	9	80		
	Solicitor	20	00		
	Commission to take testimony	7	30	40	25
	To Auditor for stating this acct.			4	50
	To the Defendants for their costs of suit viz:				
	James Woters clerk		95		
	Samuel C. Dgott clerk	1	90		
	Solicitor	10	00	12	85
				309	23
	To the President Directors & Company of the Farmers Bank of the State of Delaware, complainant, in part of the decree in this cause.			3869	13
				4178	36

L.V.

1864 Jan 30	By amount of proceeds of Sale as per Trustees report of Same filed 20 th May 1864.	4178.	36.
		<u>4178</u>	<u>36.</u>

And afterwards on the 13th day of May 1865. The Court passed the following order to wit:-

On the Circuit Court for Queen Anne's County sitting as a Court of Equity.
Ordered this 13th day of May 1865 that the foregoing auditors report be ratified and confirmed no cause to the contrary thereof having been shown, and the Trustee be directed to pay over accordingly to the parties entitled; the interest received by him to be paid over to the complainant, having first deducted and retained the additional costs that have accrued since the filing of the first report of auditors according to the suggestion made by the auditor in his report.

Lloyd Polghman
Special Judge.

Joseph C. Sheppard, & Maurice Welch Jr.

vs.

William Damon, Beulah R. Damon,
Elizabeth R. Thomson, Samuel M. Shoemaker,
Anna W. Shoemaker, Isaac Thomson,
Barrot C. Thomson, ^{Margaret Thomson} Beulah C. Thomson,
Mary C. Thomson, Smith Thomson,
Ida Thomson, Clayton S. Thomson &
Eugene Post.

Be it remembered that on the
22nd day of February in the year
of our Lord one thousand eight
hundred and sixty five, Joseph
C. Sheppard & Maurice Welch by
Joseph W. Tucker Esquire their so-
licitors filed in court here their bill
of complaint against the said
William Damon, Beulah R.
Damon, Elizabeth R. Thomson
Samuel M. Shoemaker, Anna W.
Shoemaker, Isaac Thomson, Gar-
rot C. Thomson, Beulah C. Thomson, Mary C. Thomson, Smith Thomson Ida Thom-
son, Clayton S. Thomson & Eugene Post, in the words following to wit:-

To the Honorable the Circuit Court for Queen Anne's county, as a Court
of Equity.

The bill of complaint of Joseph C. Sheppard and Maurice Welch Jr.
of Queen Anne's county humbly shews, that heretofore to wit, on the 14th day of Octo-
ber, in the year eighteen hundred and sixty three a certain William Damon and
Beulah R. Damon his wife, Isaac S. Thomson and Elizabeth R. Thomson his
wife of said county, being indebted unto your Orators, in the sum of twenty five
hundred dollars current money, and intending to secure the payment thereof
your Orators, did by their deed of that date, convey unto your Orators certain real
estate, lying in said county, and which is more particularly described in said
deed, as being all those tracts or parts of tracts or parcels of land lying and being in
said county, which were conveyed by your Orators to the said William Damon
and Isaac S. Thomson by deed bearing date the 1st November 1860 and containing
five hundred and ninety five acres and a half, which is recorded in Liber No.
B. No. 1. folios 453 & 454 one of the land record books of Queen Anne's county; Also
those four lots or tracts of land, in the village of Crumpton in said county,
which were conveyed by your Orators to the said William Damon and Isaac
S. Thomson by deed bearing date the 8th November 1860, and recorded in Liber
No. B. No. 1. folios 468 one of the land record books of Queen Anne's county; Also that
lot or tract of land lying in the village of Crumpton in said county, which was
conveyed by Emiline P. Sheppard to the said William Damon and Isaac S. Thom-
son by deed bearing date the 27th October 1860 and recorded in Liber No. B. folios
466 & 467. one of the land record books of Queen Anne's county; and did also by said
deed, bargain and sell unto your Orators, one Steam Saw Mill, with all the
fixtures and Machinery, which was erected on one of the aforesaid lots of land: to
which said deed there is a condition, that it be void on payment by the said
William Damon and Isaac S. Thomson to your Orators of the aforesaid sum
of money, with interest thereon from the 14th day of October 1863, the date of said deed
in manner following, that is to say, the sum of Three hundred dollars, with interest
on the whole sum on or before the 25th of March 1864. The further sum of one thousand
dollars, with interest on the whole sum then unpaid on or before the 25th of March 1865
and the further sum of one thousand dollars, the residue thereof, with interest thereon
on or before the 25th of March 1866, but if default should be made in the payment of
either of said sums of money, or the interest thereon, then the whole mortgage debt to
become due and payable as by a certified copy of said deed marked "Exhibit A" together
with certified copies of the deeds therein referred to and marked respectfully "Exhibit
B." & "C", filed herewith as part of this bill will more fully appear —

and your orators further represent, that the said Isaac S. Thomson departed this life on or about the 7th January 1865 leaving the said Elizabeth B. Thomson his widow, and Anna W. Shoemaker who had intermarried with one Samuel M. Shoemaker, Isaac Thomson, Garret L. Thomson, Margaret Thomson, Beulah L. Thomson, Mary L. Thomson, Smith Thomson, Ida Thomson and Clayton S. Thomson, his children and heirs at law; of whom the said Isaac Thomson, Garret L. Thomson, Margaret Thomson, Beulah L. Thomson, Mary L. Thomson, Smith Thomson, Ida Thomson and Clayton S. Thomson, are infants under the age of twenty one years.

And your orators charge that no part, of the aforesaid sum of money, or the interest accruing thereon, has been paid to them, although the time limited for the payment of a part thereof, namely the sum of Five hundred Dollars, with interest on the whole sum, by the condition aforesaid, has passed, and payment thereof has been duly demanded, of the said William Darmon, and Isaac S. Thomson - and that the whole of said Mortgage debt and interest thereon as aforesaid is now due and owing to your Orators, according to the stipulations and provisions of said Mortgage. And your Orators further represent, that on or about the 14th day of October 1863, the said William Darmon, and Isaac S. Thomson, having executed unto a certain Eugene Post of the City of Baltimore, their promissory note of the date of October 1st 1863, for the sum of Six thousand dollars payable five years after date being the principal of the debt, and having also executed unto the said Eugene Post, their ten other promissory notes of even date with said principal note, each for the sum of one hundred and eighty dollars, and payable respectively, in six, twelve, eighteen, twenty four, thirty, thirty six, forty two, forty eight, fifty four and sixty months after date, being the semiannual interest of said principal sum of six thousand dollars; and intending to secure the payment of the said sum of money, they the said William Darmon and Beulah R. Darmon his wife, Isaac S. Thomson and Elizabeth B. Thomson his wife did by their deed of that date convey unto the said Eugene Post, his heirs and assigns the said real estate, lots and parcels of land, so as aforesaid mentioned and described in the aforesaid deed to your Orators; and also did bargain and sell unto the said Eugene Post, the said Steam Saw Mill, with all the Machinery fixtures and appurtenances, so as aforesaid mentioned and described, in the aforesaid deed to your Orators: to which said deed there is a condition annexed, that it be void on payment by the said William Darmon and Isaac S. Thomson or either of them, of the said promissory notes for six thousand dollars, and the several other promissory notes of one hundred and eighty dollars each, the last being for interest, at the times respectively limited and prescribed for the payment thereof, as by a certified copy of said deed, filed herewith, as part of this bill, and marked "Exhibit P." will more fully appear.

To the end therefore that the said William Darmon and Beulah R. Darmon his wife, Elizabeth B. Thomson, Samuel M. Shoemaker and Anna W. Shoemaker his wife, Isaac Thomson, Garret L. Thomson, Margaret Thomson - Beulah L. Thomson, Mary L. Thomson, Smith Thomson, Ida Thomson, and Clayton S. Thomson of Queen Anne's County, and Eugene Post of the City of Baltimore, may answer, the several matters and things, hereinbefore stated, as fully and particularly, as if they were herein again repeated, and they were themselves specially interrogated; and that the premises and property aforesaid, or so much thereof as may be necessary, may be sold for the payment of your auditor's claim, with interest as aforesaid, or so much as may be due, and such other liens and incumbrances thereon, as may be made to appear, and that your Orators may have such other and further relief

as their case may require).

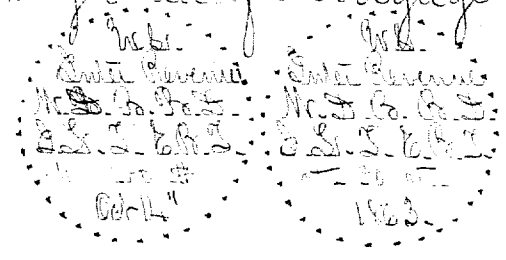
May it please your honor, to grant unto your orators, the writ of subpoena against the said William Damon, and Beulah R. Damon his wife, Elizabeth B. Thomson Samuel M. Shoemaker, and Anna K. Shoemaker his wife, Isaac Thomson. Gar-
A. L. Thomson. Margaret Thomson, Beulah C. Thomson, Mary C. Thomson,
Smith Thomson, Ida Thomson and Clayton S. Thomson of Queen Anne's County
and Eugene Post of the City of Baltimore, Commanding them to appear in this
Court, at some certain day, to be therein named, to answer the premises, and
abide by and perform such decree, as may be passed therein.

And as in duty bound &c

J. W. Wickes
Solicitor for Compls.

The exhibit "A" referred to in the foregoing Bill of Complaint in the words following,
to wit:

Queen Anne's County to wit: Be it remembered that on the twentieth day of Octo-
ber in the year of our Lord one thousand eight hundred and sixty three, the follow-
ing Deed of Mortgage was brought to be recorded to wit:-



This Mortgage, made this 14th day of October in the year of
our Lord eighteen hundred and sixty three, Witnesseth,
that in consideration of the sum of twenty five hundred
dollars now due from William Damon & Isaac S.

Thomson to Joseph C. Sheppard and Maurice Welch Jr the said William
Damon and Beulah his wife & Isaac S. Thomson & wife do grant unto
the said Joseph C. Sheppard and Maurice Welch Jr: All those tracts or parts
of tracts or parcels of land lying and being in Queen Anne's County and which
are described in the following deeds viz: Deed from the said Sheppard & Welch
to the said Damon & Thomson dated 1st Nov. 1860. for 59 1/2 acres and recorded
in Lib. M. P. No. 1. folio 453 & 454, also deed from same to same dated 3rd Nov.
1860 for four lots in Annapolis and recorded in Lib. M. P. No. 1. folio 408, also deed
from C. P. Sheppard to same for a lot in Annapolis bearing date 27th October 1860
and recorded in Lib. M. P. No. 1. folio 486 & 487. All said books being record books
for Queen Anne's County, and all the bargain and sell on Steam Saw Mill with
all fixtures and machinery now being erected on one of the aforesaid lots. Provid-
ed that if the said William Damon and Isaac S. Thomson shall pay on or before
25th March 1864 five hundred dollars with interest on the whole sum, and the
further sum of one thousand dollars with interest on the whole sum then
unpaid, on or before the 25th March 1865 and the final sum of one thousand dol-
lars with interest on or before the 25th March 1866. The said interest to be collected
from this date, all of said payments to be made to the said Sheppard & Welch,
then this Mortgage shall be void. And the said William Damon and Isaac
S. Thomson covenants, that they will pay the aforesaid money; and they further
covenant that in default of Payment the said Joseph C. Sheppard and Maurice
Welch Jr: may enter. Provided that until default of payment, the said William
Damon and Isaac S. Thomson shall possess the premises. And Provided,
that if default shall be made in the payment of the money aforesaid, or the in-
terest thereon, at the time or in the manner aforesaid, then it shall be lawful
for the said Joseph C. Sheppard and Maurice Welch Jr. to sell said Mortgaged
premises at Annapolis, D. C. by public Auction for cash - after giving at
least three weeks public notice of the time, place, manner and terms of sale,
in one or more newspapers published in Queen Anne's County, at least one a
week, for three successive weeks, prior to the day of sale. - and to pay the said

money and interest and costs, out of the proceeds thereof, - and the surplus, if any over to the said William Darnon and Isaac G. Thomson.

Witness our hands and seals

Test: Jno H. Rowlenon.

William Darnon Seal
Berula B. Darnon Seal
Isaac G. Thomson Seal
Elizabeth B. Thomson Seal

State of Maryland, Queen Anne's County, to wit:-

I hereby certify that on this 14th day of October in the year of our Lord eighteen hundred and sixty three before the subscribed a Justice of the peace of the said State, in and for the County aforesaid, personally appeared William Darnon and Berula his wife, Isaac G. Thomson & Elizabeth his wife and acknowledged the foregoing Mortgage to be their act and at the same time before me also appeared Joseph L. Sheppard and Maurice Welch Jr. Mortgages and made oath in due form of law that the consideration in the said Mortgage is true and bona fide as therein set forth.

Jno. H. Rowlenon

It is agreed that the foregoing Mortgage shall be construed by the provisions of the act of assembly of Maryland passed in 1856 Chap. 154, as if said law was now in force.

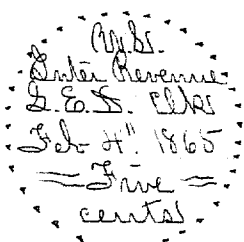
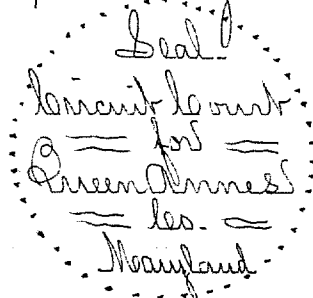
Test:

Jno H. Rowlenon.

William Darnon
Isaac G. Thomson

State of Maryland, Queen Anne's County, to wit: I hereby certify that the foregoing is a true copy taken from Liber No. 2, folios 434 & 435 one of the land record books of Queen Anne's County aforesaid.

In testimony whereof I hereto subscribe my name and affix the seal of the Circuit Court for Queen Anne's County this 4th day of February A. D. 1865.



Samuel E. Dyott, Clerk,

The "Exhibit B" referred to in the foregoing Bill of Complaint in the words following to wit:-

Queen Anne's County, to wit: Be it remembered that on the twentieth day of November in the year of our Lord one thousand eight hundred and sixty the following Deed was brought to be recorded to wit: This Deed made this first day of November in the year one thousand eight hundred and sixty by Joseph L. Sheppard and Elizabeth M. his wife and Maurice Welch Jr and Ruth H. his wife all of Crumpton of Queen Anne's County and State of Maryland said Joseph L. Sheppard being known as the firm and doing business under the name of Sheppard and Welch, Witnesseth that in consideration of the sum of eight thousand dollars the receipt whereof is hereby acknowledged the said Joseph L. Sheppard and Elizabeth M. his wife and Maurice Welch Jr. and Ruth H. his wife do grant unto William Darnon of Crumpton, County and State aforesaid and Isaac G. Thomson of Paulsboro in Gloucester County and State of New Jersey said William Darnon and Isaac G. Thomson being known as the firm and business under the name of Darnon and Thomson, all that tract or parcel of land contained within the following courses and distances viz: Beginning at a stone set near the corner of "The More Lot", for the Beginning of "Part of Pearl" and

running thence S. 26° West fifty seven perches and twelve links, thence S. 24° N. 88 perches, thence S. 12° E. 11 1/2 perches, thence S. 70 1/2° W. 77 perches thence S. 35° E. 45 perches to a stone, set at the end of the twenty seventh line of "Brunnpton Resurveyed", thence S. 24° N. 279 perches to a stone, thence N. 44 3/4° W. 90 perches, thence S. 63 3/4° W. 149 perches to a stone, thence N. 21 1/4° E. 82 perches, thence S. 88 1/4° E. 1/2 perches, thence N. 13° E. 78 perches thence S. 39 1/2° E. 2 perches, thence N. 72° E. 131 perches to a stone, then S. 78 1/4° E. 129 perches to a stone, thence N. 11 3/4° E. 200 perches, to a stone, thence S. 78 1/2° E. 5 1/2 perches, to the edge of the fast land of Pearl Branch, thence North 32 1/2° E. 8 3/10 perches, thence N. 1° N. 13 7/10 perches, thence N. 9 1/2° E. 8 6/10 perches, thence N. 34° E. 6 1/2 perches, thence North 5 1/2° E. 12 5/10 perches, thence N. 1 1/2° E. 18 7/10 perches, thence N. 8° E. 12 perches, thence N. 1° E. 7 perches thence S. 33 1/4° E. 170 perches to the middle of the Chestertown Road, said last line coinciding with the East line of Ann Street as laid down on the "Map of Brunnpton", thence with said Road N. 68 3/4° E. 27 1/2 perches thence N. 70 1/2° E. 93 perches thence S. 31 1/4° E. 3 perches to the place of beginning, excepting therefrom a piece or tract of land containing fifty acres contained within the following metes and bounds viz: Beginning at a point in the thirteenth line of the above described tract and distant from the beginning thereof fifty perches and running thence S. 78 1/4° E. 79 perches to the end of said thirteenth line, thence S. 39° E. 36 1/2 perches thence S. 39 1/2° W. 49 perches, thence S. 72 1/2° N. 33 perches, thence S. 90° N. 21 perches, thence N. 75 1/4° N. 74 perches, thence N. 72° E. 89 perches to the place of Beginning said first mentioned tract containing after said piece is excepted five hundred and ninety five and a half acres be the same more or less in fee simple. The said Sheppard & Welch and their wives do also grant unto the said Darmon & Thomson that lot of ground described as No 4358 on the "Map of Brunnpton" with its river front to low water mark in fee simple. And the said Joseph S. Sheppard and Maurice Welch Jr. do covenant that this will warrant generally and specially the property hereby conveyed. And they further covenant that they are seized of said land and have the right to convey the same. And they the said Sheppard & Welch hereby covenant that the said Darmon and Thomson shall quietly enjoy the same and that they the said Sheppard and Welch will execute such further assurances as may be necessary or requisite.

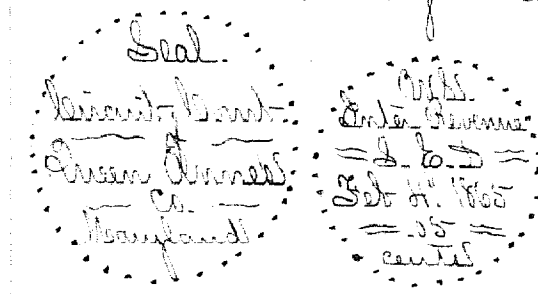
Witness our hands and seals,

Test:
H. A. Forman.

Joseph S. Sheppard Seal
Elizabeth M. Sheppard Seal
Maurice Welch Jr. Seal
Ruth S. Welch. Seal

State of Maryland, Queen Anne's County, S.S.
I hereby certify that on this first day of November in the year of one thousand eight hundred and sixty, before the subscriber a Justice of the Peace in and for said County personally appeared Joseph S. Sheppard and Elizabeth M. his wife and Maurice Welch Jr. and Ruth S. his wife and did each acknowledge the foregoing deed to be their respective act.

State of Maryland, Queen Anne's County, S.C. I hereby certify that the foregoing is a true copy taken from Liber No. B. No 1 folios 453. & 454. one of the Land record books of Queen Anne's County aforesaid.



In testimony whereof, I hereto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County this 4th day of Feb. A.D. 1865.
Samuel C. Drott
Clerk of the Circuit Court of Queen Anne's County

The "Exhibit B." referred to in the foregoing Bill of Complaint in the words following to wit:-

Queen Anne's County to wit: Be it remembered that on the first day of January in the year of our Lord one thousand, eight hundred and sixty one the following Deed was brought to be recorded to wit: This Deed made this eighth day of November in the year of our Lord one thousand eight hundred and sixty by Maurice Welch Jr. Joseph S. Sheppard Ruth S. Welch and Elizabeth M. Sheppard of Crumpton in Queen Anne's County in the State of Maryland: Witnesseth that that the said Maurice Welch Jr. Joseph S. Sheppard, Ruth S. Welch and Elizabeth M. Sheppard in consideration of the sum of four hundred dollars the receipt whereof is hereby acknowledged do hereby grant unto William Harmon of Crumpton, County and State aforesaid and Isaac Thomson of Gloucester County in the State of New Jersey known as the firm and doing business under the name of Harmon & Thomson. four lots of land with the buildings thereon situated in Crumpton and described as follows viz: Lot No. 1. Beginning at the South East corner of a Lot of land situated on Market Street belonging to Emeline G. Sheppard and running thence S. 57 3/4° N. 120 feet thence S. 31 1/4° E. 137 feet thence N 57 3/4° E. 153 feet to the middle of Market St. thence with said Street N. 31 1/4° N. to low water mark on Choptank River thence S. 57 3/4° N. 33 feet thence S. 31 1/4° E. to the place of beginning - Lot No. 2. Beginning at a point N. 57 3/4° E. 210 feet from the N. E. corner of Market and Second Streets and running thence N. 31 1/4° N. 145 feet thence N. 57 3/4° E. 60 feet thence S. 31 1/4° N. 45 feet thence S. 57 3/4° N. 60 feet to the place of beginning - Lot No. 3. - Beginning at a point S. 31 1/4° E. 58 feet from the S. E. corner of Market and Second Sts and and running thence N. 57 3/4° E. 120 feet thence S. 31 1/4° E. 58 feet thence S. 57 3/4° W. 120 feet thence N. 31 1/4° N. 58 feet to the place of beginning Lot No. 4. Beginning at a point N. 57 3/4° E. 150 feet from the N. E. corner of Market and Third Sts and running thence N. 31 1/4° N. 145 feet thence N. 57 3/4° N. 90 feet thence S. 31 1/4° E. 145 feet thence S. 57 3/4° N. 90 feet to the place of beginning in fee simple - And the said Maurice Welch Jr. and Joseph S. Sheppard do hereby covenant and agree to warrant generally and especially the property hereby conveyed, and that the said Harmon and Thomson shall quietly enjoy the same: and that they the said Maurice Welch Jr. and Joseph S. Sheppard will at any time execute such further assurances as may be necessary.

Witness our hands and Seals.
Joseph S. Sheppard Seal
Elizabeth M. Sheppard Seal
Maurice Welch Jr. Seal
Ruth S. Welch Seal

Test. W. A. Forman
Levi S. Chew.

State of Maryland, Queen Anne's County ss.
I hereby certify that on this eighth day of November in the year one thousand eight hundred and sixty before the subscribed as Justice of the Peace in and for said County personally appeared Maurice Welch Jr. Joseph S. Sheppard, Ruth S. Welch and Elizabeth M. Sheppard and did each acknowledge the foregoing deed to be their respective act.

Henry A. Forman J.P.

State of Maryland, Queen Anne's County, Sch.
I hereby certify that the foregoing is a true copy taken from Liber No. 1. folio 468. one of land record books of Queen Anne's County

State of Maryland, Queen Anne's County to wit

I hereby certify that the foregoing is a true copy taken from Liber M. B. No 1. folios, 486 & 487. one of the land record books for Queen Anne's County of aforesaid.

Shall
Clerk of Court
Queen Anne's Co.
Maryland

In testimony whereof I hereto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County this 4th day of February A. D. 1865.

Saml. E. Gantt, Clerk.

The "Exhibit B," referred to in the foregoing Bill of Complaint, in the words following to wit:

Queen Anne's County to wit: Be it remembered that on the nineteenth day of October in the year of our Lord one thousand eight hundred and sixty three the following Deed of Mortgage of Mortgage was brought to be recorded to wit:

W. B. 1865
Index Revenue
1865
150

This Mortgage made this fourteenth day of October in the year eighteen hundred and sixty three by William Gannon and Beulah K. Gannon his wife and Isaac S. Thompson and Elizabeth P. Thompson his wife

all at present in Queen Anne's County in the State of Maryland. Whereas the said William Gannon and Isaac S. Thompson have executed unto Eugene Post their promissory note of the date of October the first of the present year for the sum of Six thousand dollars the principal sum to be paid five years after date and the other promissory notes duly stamped each for the sum of one hundred and eighty dollars and of even date with said note for principal sum and payable respectively in six, twelve, eighteen, twenty four, thirty, thirty six, forty two, forty eight, fifty four, and sixty months after date. All of which said notes are payable at the Bank of Baltimore in Baltimore City without grace, and the said William Gannon and Beulah Gannon and Isaac S. Thompson and Elizabeth his wife being desirous of more effectually securing the payment of the said sums of money for the principal and interest, are willing to execute these presents. Now this Mortgage, witnesseth, that in consideration of the sum of one dollar in hand paid them, they the said William Gannon and Beulah his wife Isaac S. Thompson and Elizabeth his wife do grant unto the said Eugene Post in fee the following tracts or parts of tracts or parcels of land, that is to say, all that tract or part of a tract of land lying and being in Queen Anne's County near Lummington containing five hundred and ninety five acres and a half acre, and which is particularly described in a deed from Joseph G. Sheppard and wife and Maurice Welch Jr. and wife to the said William Gannon and Isaac S. Thompson bearing date the first day of November in the year eighteen hundred and sixty duly executed and recorded in Liber M. B. No. 1. folios 453 & 454 one of the land record books of Queen Anne's County, as reference being thereto had will fully appear, Also all those four Lots in the town of Lummington which the said Sheppard & Welch conveyed to the said Gannon & Thompson by deed duly executed bearing date the eighth day of November eighteen hundred and sixty and recorded in Liber M. B. No. 1. folio 468 one of the land record books for Queen Anne's County reference being had to said deed a full description of said lots will appear by metes and bounds and distinguished in said deed as Lot No. 1. Lot No. 2. Lot No. 3. and Lot No. 4; also all that other lot of ground in the town of Lummington which was conveyed to the said Gannon & Thompson by Emeline P. Sheppard by deed bearing date

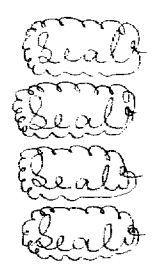
the twenty seventh day of October in the year eighteen hundred and sixty duly executed and recorded in Liber No. B. No. 1. folios 486 & 487 one of the land record books of Queen Anne's County to which reference being had a full description of said Lot^{will} appears, The said Darnon and Thompson do also bargain and sell to the said Eugene Post and one steam saw mill with all the machinery, fixtures and appurtenances belonging thereto and which is being erected upon one of the aforesaid Lots and bordering on Chester River: Provided that if the said William Darnon and Isaac S. Thompson or either of them shall pay the aforesaid promissory note for six thousand dollars and the several other promissory notes for one hundred and eighty dollars each, the last being for interest, at the times respectively limited and prescribed for the payment thereof, and shall perform all the other covenants herein on their part to be performed, then this Mortgage shall be void. And the said William Darnon and Isaac S. Thompson covenant that they will pay the aforesaid notes for principal and interest at the times respectively limited for the payment of the same, and they further covenant, that in default of paying the said Eugene Post may enter. And the said William Darnon and Isaac S. Thompson, covenant that they will pay, as they become due, all the taxes and assessments of every sort that may be levied and assessed on the property hereby mortgaged and on the mortgage debt and interest hereby mentioned to be secured. And the said William Darnon and Isaac S. Thompson further covenant that they will, in a convenient and reasonable time after the execution of these presents have the improvements on the aforesaid parcels of land insured for at least the sum of two thousand dollars, and that they will during the continuance of this Mortgage, keep the same insured for said amount, paying the premiums thereon from time to time as they fall due and that they will assign the policy or policies of insurance to the said Eugene Post for his benefit in case of loss by fire. And they further covenant, that should they fail in this particular and the said Eugene Post pay the premiums for the said insurance, the amount of the premiums so paid and the interest thereon shall be a lien on the mortgaged property, as though included in the first instance in the Mortgage itself. And it is provided that until default in payment of the sum hereby secured, the said William Darnon and Isaac S. Thompson shall possess the premises: And provided also that if default shall be made in the payment of any of the aforesaid notes for principal or interest at the times respectively limited for the payment of the same, then it shall be lawful for the said Eugene Post to sell the aforesaid mortgaged premises at auction in Queen Anne's County by public auction for cash after giving three weeks public notice of the time, place, manner and terms of sale in one or more newspapers published in Centerville in Queen Anne's County, once a week for three successive weeks prior to the day of sale, to pay the debt and the surplus if any ^{be} to the said William Darnon and Isaac S. Thompson. It is agreed that the said William Darnon and Isaac S. Thompson shall have the privilege of paying three thousand dollars on the principal note three years after the date thereof, provided they shall give the said Eugene Post notice ninety days previously of their intention to make said payment; and in the event of their making said payment they shall have a rateable credit on the subsequently maturing notes for interest. Lastly, it is agreed that the covenants and provisions in this Mortgage shall be construed by the provisions of the act of assembly of Maryland passed in the year 1856 chap. 154. in the same manner if said law was now in force.

Witness our hands and seals

Test:

Jno: H. Rowleson

William Darnon
Beulah R. Darnon
Isaac S. Thomson
Elizabeth P. Thomson



State of Maryland, Queen Anne's County, to wit:—

I hereby certify that on this fourteenth day of October in the year eighteen hundred and sixty three before the subscribed a Justice of the Peace of the State of Maryland, in and for Queen Anne's County personally appeared William Darnon and Beulah R. Darnon his wife Isaac S. Thomson and Elizabeth P. Thomson his wife and severally acknowledged the foregoing Mortgage to be their act.

Jno. H. Rowleson J. P.

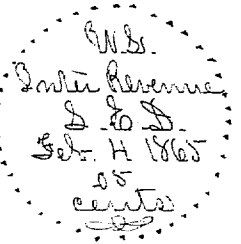
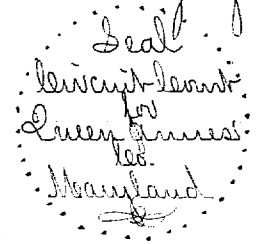
Maryland, Queen Anne's County, to wit:

I hereby certify that on this 17th October 1863, before the subscribed a Justice of the Peace of the state of Maryland, in and for Queen Anne's County personally appeared P. B. Hooper agent for Eugene Post and made oath that the consideration in the foregoing Mortgage is true and bona fide as therein set forth.

P. B. Hooper J. P.

State of Maryland Queen Anne's County, to wit:

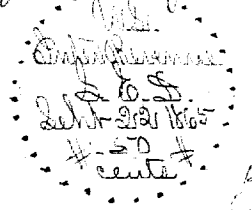
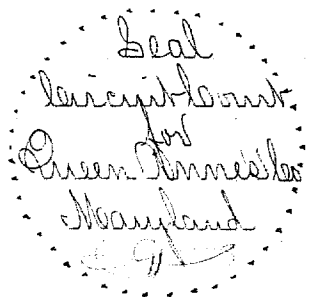
I hereby certify that the above is a true copy taken from Liber No. 2, folio 433 and 434 one of the land record books of Queen Anne's County aforesaid.



In testimony whereof I hereto subscribe my name and affix the Seal of the Circuit Court for Queen Anne's County this 4th day of February A. D. 1865.

Saml. E. Dyott, clerk.

Thereupon Subpoena's were issued in the manner and words following to wit: Queen Anne's County, to wit: The State of Maryland. To Eugene Post of the City of Baltimore. Greeting, you are hereby commanded that all excuses and delays, set aside, you personally appear before the Circuit Court for Queen Anne's County, to be held at Centerville in said County on the first Monday of May next, to answer unto the complaint of Joseph C. Sheppard and Maurice Welch Jr against you in the said Court exhibited. Hereof fail not at your Peril. Witness the Hon John M. Robinson Judge of our said Court the twenty second day of February 1865.



Samuel E. Dyott, clerk.

Which said Subpoena was on the 21st day of March returned thus endorsed to wit: Summoned, John J. Danckel Sheriff Balto. City.

Queen Anne's County, to wit: The State of Maryland. To William Darnon, Beulah R. Darnon, Elizabeth P. Thomson, Samuel M. Shoemaker, Anna M. Shoemaker, Isaac Thomson, Garret C. Thomson, Margaret Thomson, Beulah C. Thomson, Mary C. Thomson, son, Smith Thomson, Ida Thomson, Lelayton S. Thomson,



of Queen Anne's County, greeting: You are hereby commanded that all excuses set apart, you personally appear before the Circuit Court for Queen Anne's County, sitting as a Court of Equity at Centerville in said County, on the first Monday of May next, to answer unto the Complaint of Joseph B. Sheppard and Maurice Welch Jr. against you in the said Court Exhibited:

Hereof fail not, as you will answer the contrary at your peril.
Witness the Honorable John M. Robinson, Judge of our said Court, the twenty second day of February 1865.
Samuel C. Dyott, Clerk.

Which said subpoena was on the 27th day of April returned thus endorsed to wit: All Summoned
E. J. Ford, Sheriff.

Thereupon further process of and upon the premises aforesaid is further continued until the first Monday of May next, at which said first Monday in May in the year Eighteen hundred and sixty five, comes into court here as well the said Joseph B. Sheppard and Maurice Welch Jr. By Joseph W. Sticker their Solicitor aforesaid and the said William Darmon Beulah R. Darmon, Elizabeth B. Thomson, Samuel M. Shoemaker, Anna W. Shoemaker, Isaac Thomson, Garret C. Thomson, Margaret Thomson, Beulah C. Thomson, Mary C. Thomson, Smith Thomson, Ida Thomson Clayton S. Thomson and Eugene Post By Philomon B. Hopper Esquire their Solicitor and files in Court here the following power of Attorney to wit:

Joseph B. Sheppard & Maurice Welch Jr.
vs.
William Darmon, Beulah R. Darmon,
Elizabeth B. Thomson, Samuel M. Shoemaker,
Anna W. Shoemaker, Isaac Thomson,
Garret C. Thomson, Margaret Thomson,
Beulah C. Thomson, Mary C. Thomson,
Smith Thomson, Ida Thomson
Clayton S. Thomson & Eugene Post.

In the Circuit Court
for Queen Anne's County
as a Court of Equity

P. B. Hopper Esq.
Centerville Md.

You will please appear for me in the above case, now pending in the Circuit Court for Queen Anne's County, as a Court of Equity, and in our behalf file and answer admitting the several matters and things charged in the Complainants bill, and assenting that a decree may be passed for the sale of the Mortgaged premises.
April 22nd 1865.

Elizabeth B. Thomson
Samuel M. Shoemaker
Annie W. Shoemaker
John B. Thomson

Thereupon the following answers were filed to wit:-
The answer of Elizabeth B. Thomson, Samuel M. Shoemaker and Anna W. Shoemaker his wife, to the bill of complaint of Joseph B. Sheppard

and Maurice Welch Jr. against them and others exhibited in the Circuit Court for Queen Anne's County, as a Court of Equity. These defendants admit the several matters and things charged in the Complainants bill to be true, and submit to such decree in the premises as may be right:

And as in duty bound &c

P. B. Hopper Sol. for
Elizabeth B. Thomson
Annie W. Shoemaker
Saml. M. Shoemaker,

The answer of William Damon and Beulah R. Damon his wife to the Bill of Complaint of Joseph L. Sheppard and Maurice Welch Jr. against them and others exhibited in the Circuit Court for Queen Anne's County as a Court of Equity. These defendants admit the several matters and things charged in the Complainants bill to be true and submit to such decree in the premises as may be right, and as in duty bound &c

P. B. Hopper Sol. for
William & Beulah R.
Damon.

Sheppard & Welch
vs
Damon. Thomson. Post
Et al

In the Circuit Court for Queen Anne's
County, sitting in Equity -

The answer of Eugene Post, of the City of Baltimore, to the Complainants Bill of Complaint, respectfully shows, that he believes the matters and things stated to be true, as therein set forth and, further, that he holds a deed of Mortgage upon the premises therein mentioned, which is described in the said Bill, and which bears even date with the Mortgage deed executed and delivered to the Complainants, but, which, having been first recorded has priority thereof -

This respondent further assents to the bill of the said premises, or such terms as this Court may prescribe, due reference being had to his rights of priority

And as etc -

Albert Ritchie
P. B. Hopper
Sols. for Eugene Post. -

And the said Isaac Thomson, Garret L. Thomson, Margaret Thomson, Beulah L. Thomson, Mary L. Thomson, Smith Thomson, Ida Thomson and Delayton S. Thomson, appear in Court here and being Infants under the age of Twenty one years, the Court appoints James P. Dudley Esquire to answer and defend for them and thereupon the following answer filed to wit:

Sheppard & Welch
vs
William Damon & others

The joint and several answers of Isaac Thomson, Garret L. Thomson, Margaret Thomson, Beulah L. Thomson, Mary L. Thomson, Smith Thomson,

Ida Thomson, and Lelayton S. Thomson infants under the age of twenty one years by their guardian James P. Dudley to the bill of complaint of Shep-
herd & Welch against them and others exhibited in the Circuit Court for
Queen Anne's County sitting as a Court of Equity -

These Defendants cannot admit any of the matters and things alledged
in said bill and being infants of tender years, submit their rights to the
protection of this Court.

P. B. Hoopes Sol. for Deft.

On this Second day of May in the year Eighteen Hundred and Sixty five
the above named James P. Dudley appeared before me the subscribed a
Justice of the Peace of the State of Maryland in and for Queen Anne's County
and made oath, that the matters and things stated in the foregoing auew-
er are true to the best of his knowledge and belief.

Ms.
Enter Revenue
D. H. R.
May 25. 1865
55
cents.

Jno. B. Rowleson J. P.

Thereupon the following agreement was filed to wit
Joseph L. Drippaid & Maurice Welch Jr.

J. L.

William Damon, Beulah R. Damon
Elizabeth R. Thomson & others

In the Circuit Court for
Queen Anne's County.

We agree that a Commissioner to take testimony in this case.
shall issue to James Wooters Esq.
May 25th 1865.

J. A. Stokes Sol. for
Complainants
P. B. Hoopes, Sol for
Deft.

Thereupon Commission was issued in the words following to wit:
Queen Anne's County to wit: The State of Maryland to James Wooters,
Esquire of Queen Anne's County - greeting. Be it known that you are
appointed Commissioner to examine evidence in a cause depend-
ing in the Circuit Court for Queen Anne's County between Joseph
Shepherd and Maurice Welch for complainants and Wm. Dav-
mon, Beulah Damon, Elizabeth R. Thomson Samuel M. Shoema-
ker, Anna W. Shoemaker, Isaac Thomson, Janet L. Thomson, Margaret Thom-
son, Beulah L. Thomson, Smith Thomson, Ida Thomson, Lelayton S. Thomson
and Eugene Post, Respondents, you are therefore hereby required having first
taken the oath hereto annexed and also administered the annexed oath to the
person whom you shall appoint as clerk to attend the execution of this Com-
mission, that at such time and place as to you shall seem convenient, you
cause to come before you all such evidence as shall be named and produc-
ed to you by either the complainants or respondents, and that you exami-
ne them on their corporal oaths to be by you administered upon the Holy
Evangelly of al mighty God, touching their knowledge or remembrance of
any thing that may relate to the cause aforesaid, and that you cause notice
to be given to the parties or their Solicitors of the execution of this Commis-
sion before you execute the same: And having reduced the depositions of the
witnesses so taken by you, unto writing you send the same with the Com-

mission, closed under your hand and seal, to the said Circuit Court, with all convenient speed, witness the the Honorable Jno. M. Robinson Judge of the said Court the the first day of May Eighteen hundred and sixty five.
Issued this second day of May 1865.

Samuel E. Dyott, clerk.

Commissioners Oath.

You James Wooters, shall, according to the best of your skill and knowledge, truly, faithfully and without partiality to any or either of the parties in this cause, take the examination and depositions, of all and every the witnesses produced and examined by virtue of the commission hereto annexed, upon the interrogatories now, or which may hereafter before the said commission is closed, be produced to and let with you, by either of the said parties, so help me God.

Sworn before
Jno. M. Robinson

Clerks Oath.

You _____ shall truly faithfully and without partiality to any or either of the parties in this cause take write down and transcribe the depositions of all and every the witnesses produced before, and examined by the commissioners named in the commission hereto annexed as far forth as you are directed and employed by the said commissioners to take, write down and transcribe the said depositions or any of them, so help you God.

Sworn before.

And afterwards to wit on the 8th day of May. James Wooters Esquire the commissioner named in the foregoing commission, made return of the execution of said commission in the manner following to wit:—

- Joseph C. Sheppard and Maurice Welch Jr. }
Res. }
- William Damon, Beulah R. Damon, }
Elizabeth R. Thomson, Samuel M. Shoemaker, }
Adna W. Shoemaker, Isaac Thomson, }
Garrat C. Thomson, Margaret Thomson, }
Beulah C. Thomson, Mary C. Thomson, }
Smiths Thomson, Ida Thomson, }
Clayton S. Thomson, & Eugene Post. }

In the Circuit Court
for Queen Anne's County
Sitting in Equity.

Interrogatories to be propounded to witnesses produced on the part of the complainant.

- 1st Are you or not acquainted with the parties to this suit, or either of them, and which of them - if you how long have you known them and each of them.
- 2^d Were you or not acquainted with the late Isaac S. Thomson If you is he living or dead and if dead when did he die.
- 3^d In your answer to the last interrogatory you state that Isaac S. Thomson is dead - did he or not leave a widow and children

If you name them, and state whether any of his children are married and who to; and if any of them are infants under the age of twenty one years, and who.

J. W. Wickes
Solicitor for Complainants.

To the Honorable John M. Robinson Judge of the Circuit Court for Queen Anne's County.

At the execution of the annexed Commission issued out of the Circuit Court for Queen Anne's County, and to me directed, empowering me to examine evidences in a cause depending in the said Court, wherein Joseph L. Sheppard and Maurice Welch Jr. are Complainants, and William Darnon and others are respondents, I, James Wothers Commissioner therein named, having taken the Oaths thereunto annexed, did at Centerville on the third day of May 1865, (the usual notice by the solicitors of the parties having been waived) proceed to take the following depositions.

Hannah Sprague a witness of lawful age, produced and examined on the part of the complainants, being duly sworn deposes and says,

To the first interrogatory, she knows all the parties except Eugene Post, and has known them for a number of years.

To the second interrogatory, that she did know the late Isaac S. Thompson who died early in January 1865.

To the third interrogatory, she left a man Elizabeth B. Thompson, and Anna W. Shoemaker, and Isaac, Ganot, Margaret, Beulah G. May G. Smith, Ada, and Clayton S. Thompson his only children and she having intermarried with Maurice M. Shoemaker, and the other children are all infants under the age of twenty one years and un-married.

Hannah S. Sprague.

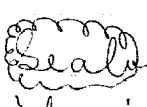
George W. Bennett, a witness of lawful age, produced and examined on the part of the complainants, being duly sworn, deposes and says,

To the first interrogatory, that he knows all the parties except Eugene Post, and has known them about one year.

To the second and third interrogatories, deponent says, that having heard the answers of Hannah S. Sprague to said interrogatories, witness adopts said several answers as his.

George W. Bennett

The complainants solicitor then filed with the Commissioner Exhibits A, B, C, D, and E, which are herewith returned, there being no other witnesses to be examined, and neither party desiring further time for the production of evidence, the Commissioner closed the said Commission, and herewith returns the same under his hand and Seal this 3^d day of May 1865.

James Wothers 
Commissioner

Costs.
Commissioner
Witnesses

\$ 4.10
1.50 } \$ 5.60

Thereupon the following agreement was filed to wit:

Joseph P. Shepard & Maurice Welch p. vs.	} In the Circuit Court for Queen Anne's County as a Court of Equity
William Damon, Beulah R. Damon Elizabeth B. Thomson & others	

They agree to submit this case on the bill answers and proofs in the case, without argument, and submit to such decree as may be passed,

J. W. Wickes
Sol. for Complainants
D. B. Hooper
Sol. for Defs.

Thereupon the Court passed the following decree to wit:

Joseph P. Shepard & Maurice Welch p. vs.	} In the Circuit Court for Queen Anne's County as a Court of Equity.
William Damon, Beulah R. Damon Elizabeth B. Thomson, Samuel M. Shoemaker, Anna B. Shoemaker, Isaac Thomson, Garret B. Thomson, Margaret Thomson, Beulah B. Thomson, Mary B. Thomson, Smith Thomson, Ida Thomson, Clayton S. Thomson, & Eugene Post.	

May 1865.

This cause standing ready for pleading, and being submitted without argument, the proceedings were read and considered, It is thereupon this 15th day of May, in the year of our Lord eighteen hundred and sixty five, by me John M. Robinson, judge of the Circuit Court for Queen Anne's County, as a Court of Equity, and by the authority of this Court, adjudged, ordered and decreed, that unless the defendants or any of them, shall on or before the 15th day of June next pay or bring into this Court, to be paid unto the Complainants, the sum of two thousand and five hundred dollars with interest on the said sum of two thousand and five hundred dollars from the fourteenth day of October eighteen hundred and sixty three until paid, or brought in as aforesaid, together with the complainants costs of this suit to be taxed by the clerk of this Court, the mortgaged premises in the proceedings mentioned be sold.

That Joseph W. Wickes of Kent County, be and he is hereby appointed Trustee to make such sale: And that the course and manner of his proceedings shall be as follows: He shall first file in the clerk's Office of the Circuit Court for Queen Anne's County, a bond to the State of Maryland, executed by himself, with a surety or sureties to be approved by the clerk thereof, in the penalty of thirty 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 mortgaged premises and property, having first given at least three weeks previous notice inserted in some newspaper, printed and published in Queen Anne's 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 third of the purchase money to be paid cash on the day of sale, or on the ratification thereof by this Court; and the residue thereof, in equal instalments, in one and two years from the day of sale: the credit payments to bear interest from the day of sale.

and the payment thereof to be secured by the bond of the purchaser, with a surety or sureties, to be approved by the Trustee.

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 this 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 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 commission to the said Trustee, as this Court shall think proper to allow, on consideration of the skill, attention and fidelity with which he shall appear to have discharged his trust—

Jno. M. Robinson.

And thereupon Joseph W. Wickes, the Trustee named in said Decree files in Court here his bond in the words following to wit:—

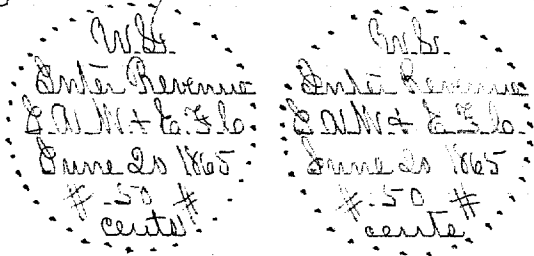
Know all men by these presents that we, Joseph W. Wickes and Ezekiel S. Chambers of Kent County in the State of Maryland are held and firmly bound unto the State of Maryland in the full and just sum of thirty thousand dollars current money, to be paid to the said State of Maryland, or its certain Attorney to which payment well and truly to be made and done, we bind ourselves and each of us our and each of our heirs, Executors and administrators, jointly and severally firmly by these presents, Sealed with our seals, and dated this twentieth day of June, in the year, eighteen hundred and sixty five.

Whereas by a decree of the Circuit Court for Queen Anne's County, as a Court of Equity bearing date on the 12th day of May in the year eighteen hundred and sixty five and passed in a cause in the said Court wherein Joseph L. Sheppard and Maurice Welch Jr. are complainants and William Harmon and others are defendants, the above bound Joseph W. Wickes has been appointed Trustee to make sale of certain real estate in the proceedings in said cause mentioned.

Now the conditions of the above obligation is such, that if the above bound Joseph W. Wickes, do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order, in the premises, then the above obligation to be void, otherwise to remain in full force and virtue in Law.

Signed, Sealed and delivered
in the presence of
Jesse R. Horner

J. W. Wickes Seal
E. S. Chambers Seal



Thus endorsed to wit: Approved June 21st 1865.

Saml. E. Drott, Clerk.

Their own further force of and upon the premises aforesaid is further continued until the first Monday of November next at which said first Monday in November in the year Eighteen hundred and sixty five, comes into court here as well the said Joseph b. Sheppard and Maurice Welch Jr. by their Solicitor Joseph W. Nickes Esquire, and the said William Darnon, Beulah R. Darnon, Elizabeth B. Thomson, Samuel M. Shoemaker, Anna W. Shoemaker, Isaac Thomson, Garret b. Thomson, Margaret Thomson, Beulah b. Thomson, Mary b. Thomson, Smith Thomson, Ida Thomson, Clayton S. Thomson and Eugene Post by Philemon B. Hofeker Esquire their Solicitor,

And afterwards on the 8th day of January 1866. Joseph W. Nickes Esquire files his report of Sale in the words following to wit:—

Joseph b. Sheppard & Maurice Welch Jr. } In the Circuit Court for
 William Darnon & others } Queen Anne's County as a
 Court of Equity,

To wit: Honorable John M. Robinson Judge of the Circuit Court for Queen Anne's County as a Court of Equity,

The report of Joseph W. Nickes, trustee, appointed by the decree in this cause to make Sale of certain real estate, and a Steam Saw Mill with fixtures and machinery therein mentioned. Shows: that after giving bond with security for the faithful discharge of his trust as required by said decree, he caused the large tract of land described in the proceedings as the tract conveyed by Sheppard and Welch to Darnon and Thomson, by deed bearing date 1st November 1860, and supposed to contain 59 1/2 acres, to be surveyed by R. S. Howell Esq. a competent surveyor of Queen Anne's County, and to be divided into four parts or lots as appears by the plat accompanying this report; and after giving notice of the time, place, manner and terms of Sale, by advertisements in the Centreville Observer, and the Crumpton Gazette, two newspapers printed in Queen Anne's County, and the Chestertown Transcript a newspaper printed in Kent County, for more than three successive weeks before the day of Sale also by advertisements in the Delaware Gazette a newspaper printed in the City of Wilmington in the State of Delaware, and by handbills extensively circulated throughout Queen Anne's and Kent Counties, he did pursuant to said Notices attend at the Hotel of Joshua Walls in the Village of Crumpton, on Wednesday, the twenty sixth day of July, in the year Eighteen Hundred and sixty five, at eleven o'clock A. M. and then and there proceeded to offer for Sale the whole of said real estate, and saw mill with fixtures and Machinery, but being unable to obtain a bid in any manner adequate in value, for any of said property, except that portion described as lot No. 2, in the deed from Sheppard and Welch to Darnon and Thomson bearing date the 8th November 1860, he adjourned the Sale thereof,

Your trustee further reports that he did at the time and place offer at public Sale the said lot No. 2, which had an inferior frame or log dwelling thereon, and sold the same to Nathaniel Cheers he being then and there the highest bidder therefore, at and for the sum of one hundred and thirty dollars (\$130.⁰⁰) that the said Nathaniel Cheers has paid the whole purchase money therefore, which your trustee received.

And your trustee further states that since that time, after giving notice, in the manner before stated of the time place, manner and terms of Sale in the

Centerville Observer a newspaper printed in Queen Anne's County, and also by advertisements in the Baltimore Gazette a newspaper printed in the City of Baltimore, and also by handbills extensively circulated in Queen Anne's County, and other places, he did pursuant to said notice attend at the Hotel of Joshua Stalls in the village of Brumfeton, on Wednesday the sixth day of September, in the year eighteen hundred and sixty five, at eleven o'clock, A.M., and then and there proceeded to sell said real estate, and Steam Saw Mill with fixtures and machinery, as follows, to wit: Your trustee offered at public sale to the highest bidder the lot designated as lot No. 3, in the deed from Sheppard and Welch to Darmon and Thomson, bearing date the 8th November 1860 having an inferior frame or log dwelling thereon: and sold the same to Joseph C. Sheppard of Queen Anne's County he being then and there the highest bidder therefore, at and for the sum of fifty three dollars (\$53.⁰⁰/₁₀₀). The lot described in the aforesaid deed as No. 4, having an inferior frame or log building thereon, was also then and there sold to the said Joseph C. Sheppard he being the highest bidder therefore, at and for the sum of eighty one dollars (\$81.⁰⁰/₁₀₀). Your trustee then offered for sale the tract of land, which is described in the proceedings as the tract conveyed by Sheppard and Welch to Darmon and Thomson by deed bearing date the 8th November 1860, and which your trustee had surveyed and divided in four lots, and then and there sold the parcels or divisions thereof as follows.

Division No. 4, containing 68 acres: 2 rods and 11 perches he sold to the said Joseph C. Sheppard at and for the price of sixteen dollars an acre, the whole purchase money amounting to the sum of \$1097.⁴⁰/₁₀₀ -

Your trustee further reports that the whole purchase money of the foregoing property, sold to the said Joseph C. Sheppard, amounted to the sum of \$1231.¹⁰/₁₀₀ and that he has since taken the promissory note of the said Joseph C. Sheppard and Maurice Welch Jr., for the sum of \$410.³⁵/₁₀₀ payable thirty days after date, with interest from the day of sale. The one third part of said purchase money, being according to the terms of sale the cash payment, with an agreement in writing, signed by the said Sheppard and Welch, that ^{should} said note not be paid, that said sum with interest should be allowed, as a credit to your trustee, in his settlement of the Mortgage debt of said Sheppard and Welch, who are the complainants in the cause - Your trustee has also since taken the bond of the said Joseph C. Sheppard and Maurice Welch Jr. as his security, for the payment of the sum of \$800.⁷⁴/₁₀₀ the residue of said purchase money, in equal moieties, with interest thereon in one and two years in one and two years from the day of sale.

Division No. 3, of the aforesaid tract containing 173 acres, 3 rods and 17 perches your trustee sold to Pratt W. Johnson of New Jersey, at and for the price of 18.⁸⁷/₂ an acre, the whole purchase money amounting to the sum of \$3281.⁵²/₁₀₀ of which sum the said Pratt W. Johnson has since paid \$1093.⁸⁴ the one third part thereof: and your trustee has since taken the bond of the said Pratt W. Johnson, with Joseph C. Sheppard as his security, for the payment of the sum of \$2187.⁶⁰/₁₀₀. The residue of said purchase money, in equal moieties with interest thereon, in one and two years from the day of sale.

Division No. 2, of the said tract containing 153 acres 2 rods and 38 perches your trustee sold to Ebenezer D. McBlanchan and John P. Hartley, at and for the price of \$9,62¹/₂ an acre, the whole purchase money amounting to \$1470.⁰⁵/₁₀₀ -

He also sold Division No. 1, of said tract containing 200 acres, 3 rods and 8 perches to the said Ebenezer D. McBlanchan and John P. Hartley, at and for the

price of ten dollars and acre, the whole purchase money amounting to \$2008.
 00 - The purchase money of the two divisions purchased by the said Ebenezer
 D. McLanahan and John P. Hartley, amounting to the sum of \$3478. ⁰⁰/₁₀₀ of
 which sum the said Ebenezer D. McLanahan and John P. Hartley have since
 paid \$1159. ³⁵/₁₀₀ the one third part thereof; and your trustee has since taken the
 bond of the said Ebenezer D. McLanahan and John P. Hartley, with John Shel-
 son as their security, for the payment of the sum of \$2318. ⁷⁰/₁₀₀, the residue of
 said purchase money, in equal moities, with interest thereon, in one and
 two years from the day of Sale.

Your trustee then offered for sale the steam Saw Mill, with fixtures and
 Machinery, and the two lots on which the said Saw Mill and buildings att-
 ached and belonging thereto are built, being the lot which was conveyed by Em-
 eline P. Sheppard to Damon and Thomson by deed bearing date the 27th
 October 1860, and designated on the plat of Brunswick as No. 4358; and one of
 the lots conveyed by Sheppard and Welch to Damon and Thomson, bearing
 date November 8th 1860, and described in said deed as Lot No. 1, and sold the
 same to Joseph C. Sheppard, he being then and there the highest bidder there-
 fore at and for the sum of 1970. 00, of which sum the said Joseph C. Sheppa-
 rd has since paid \$656. ⁶⁶/₁₀₀, the one third part thereof; and your trustee
 has since taken the bond of the said Joseph C. Sheppard, with William
 S. Goodwin, and Justus B. Sheppard as his securities, for the payment
 of the sum of \$1313. ⁸⁴/₁₀₀ the residue of said purchase money, in equal moi-
 ties, with interest thereon, in one and two years from the day of Sale.

Your trustee further states, that he should have reported the foregoing sales
 at an earlier day, but for the part, that several of the purchasers, were un-
 able without indulgence, to comply with the terms of Sale - your trustee
 found it difficult to sell the property, and he therefore extended every fa-
 cility in his power, to enable the purchasers to comply with the terms -

Which is respectfully submitted.
 J. W. Wicker, Trustee.

Kent County, to wit: - On this 6th day of January 1866, before the sub-
 scribed a Justice of the Peace of the state of Maryland, in and for Kent
 County, aforesaid, personally appeared the within named Joseph W.
 Wicker, Trustee and made oath that the matter and things stated, in
 the foregoing report, are true to the best of his knowledge and belief, and
 that the sales therein reported were fairly made.

James Graves.

State of Maryland, Kent County, Sch:
 I, Jesse R. Horner, clerk of the Circuit Court for Kent Coun-
 ty, hereby certify that James Graves Esq. before whom the annexed affidavit
 was made, and who has signed his name thereto, was at the time of so do-
 ing, a Justice of the Peace of the State of Maryland, in and for the fourth Elec-
 tion District of Kent County, duly commissioned and qualified.

In Testimony Whereof, I hereto subscribe my name,
 and affix the Seal of the Circuit Court, for Kent
 County, this 6th day of January Anno Domini
 1866.

Seal
 Circuit Court
 for
 Kent County
 Maryland

J. S.
 Clerk Revenue
 - R. No. -
 Jan 6. 1866.
 - 05 -
 cents.

Jesse R. Horner, Clerk.

And thereupon the following Order was passed to wit:-

Joseph b. Shepard & Maurice Welch Jr. } On the Equity side of the Circuit
Es. } Court for Queen Anne's County
William Darnon & others } January 8th 1866.

It is hereby ordered by me Samuel E. Dyott clerk of the Circuit Court for Queen Anne's County, that the sales made and reported by Joseph W. Wickers, Trustee, in the above entitled cause be ratified and confirmed, unless cause to the contrary thereof be shown, on or before the fifteenth day of March next. Provided a copy of this order be inserted in some newspaper printed and published in Queen Anne's County Maryland once in each of three successive Weeks before the fifth day of February next.

The Report states the amount of Sales to be \$ 10,090.68.

Samuel E. Dyott clerk.

Thereupon further process, of and upon the premises aforesaid, is further continued until the fourth Monday of January next, at which said fourth Monday of January in the year Eighteen Hundred and sixty six, comes into court here as well the said Joseph b. Shepard and Maurice Welch Jr. by Joseph W. Wickers Esquire their Solicitor of aforesaid and the said William Darnon, Beulah R. Darnon, Elizabeth P. Thomson, Samuel M. Shoemaker, Anna W. Shoemaker, Isaac Thomson, Garret b. Thomson, Margaret Thomson, Beulah b. Thomson, Mary b. Thomson, Smith Thomson, Ida Thomson, Clayton S. Thomson, and Eugene Post, by Philemon B. Hopper Esquire their Solicitor and afterwards; on the 30th day of April 1866. the Court passed the following order to wit:-

Joseph b. Shepard & Maurice Welch Jr. } In the Circuit Court for
Es. } Queen Anne's County
William Darnon & others } As a Court of Equity
April 1866.

Ordered that the sales within reported, be and the same are hereby ratified and confirmed, no cause to the contrary thereof having been shown, although notice appears to have been given as directed by the preceding order the Trustee is allowed for his expenses, as per bills and receipts the sum of \$ 216. ⁶³/₁₀₀, and for his commission the sum of \$ 448. ⁶²/₁₀₀

Jno. M. Robinson.

Thereupon further process, of and upon the premises aforesaid, is further continued until the first Monday of May next, at which said first Monday of May in the year Eighteen Hundred and sixty six, comes into court here as well the said Joseph b. Shepard and Maurice Welch Jr. by Joseph W. Wickers Esquire their Solicitor aforesaid and the said William Darnon, Beulah R. Darnon, Elizabeth P. Thomson, Samuel M. Shoemaker Anna W. Shoemaker, Isaac Thomson, Garret b. Thomson, Margaret Thomson, Beulah b. Thomson, Mary b. Thomson, Smith Thomson, Ida Thomson, Clayton S. Thomson, and Eugene Post, by Philemon B. Hopper Esquire their Solicitor

and thereupon Philemon B. Hopfer Esquire, Auditor, files the following report to wit:-

Sheppard & Welch
vs.

J^m Dorman & others

In the Circuit Court for Queen Anne's County
Sitting as a Court of Equity,

To the Honorable J. B. Robinson Judge.

The auditor respectfully reports that he has examined the proceedings in this cause, and has therefrom prepared the following account between the Real Estate mentioned in said proceedings and Joseph W. Wickes Esq. Trustee for the sale thereof, in which he has allowed to the Trustee his expenses and commission ascertained by order of Court to the complainants and Defendants each their costs of suit and to the auditor his fee. He next allowed out of the Balance the claims No. 1, 2, 3 & 4 paying the said claims in full as of the day of Sale. Claims No. 1 & 2, being both Mortgages, though payable by instalments at periods some of which have not yet arrived, are due in whole by reason of the failure to pay the interest thereon as stipulated in said deeds of Mortgage as also by the failure in the case of claim No. 1. to pay a portion of the principal which was over due at the time of filing the bill of Complaint in this cause claims No. 3 & 4 are two of the interest notes secured by the Mortgage to Eugene Post, which were paid by and endorsed to Joseph W. Wickes, and they being in full of interest due on Mortgage debt to the said Post to Oct. 1st 1865 the said principal of \$6000.00 allowed by the auditor is not to draw any interest until from the 1st Oct 1865, as with claim No. 4, not being due until Oct. 1st 1865, the Auditor has allowed it as of day of Sale with the proviso that it does not draw interest until said date. The Trustee in the distribution of interest received will distribute accordingly.

All of which is submitted

P. B. Hopfer Auditor
May 3, 1866.

In. The Real Estate of William Dorman ^{& others} in account with Joseph W. Wickes Esq. Trustee for the Sale thereof.

1865	To The Trustee for his expenses allowed by order of Court			216	63
Sept 6	To The Trustee for his commission " "			448	62
	To The complainants for their costs suit viz:				
	Solicitor	20	00		
	S. E. Dyott clerk for costs accrued	19	20		
	Same for provable costs	20	00		
	Sheriff of Queen Anne's County	5	20		
	" of Baltimore		40		
	Stamp		50		
	To James Motes Commo. to take testimony	4	10		
	Hannah S. Sprague witness		75		
	George W. Bennett " "		75	70	90
	To Defendants for their costs of suit viz:				
	Solicitor	10	00		
	S. E. Dyott clerk	9	30	19	30
	To the Auditor for his fee			4	50
				Carried over	
				759	95

Jr. The Real Estate of William Darnon & others in account with J. W. Nickes &c

1865 Sept. 6.	To Amount brought up.		759	95
	To the Complainants for their Mortgage (of which "Exhibit A" is a copy) with interest to the day of sale claim No. 1.		2784	16
	To Eugene Post for his Mortgage of which "Exhibit P" is a copy not to draw interest until 1 st Oct 1865, it being for claim No. 2		6000	00
	To Joseph W. Nickes for note endorsed by E. Post (for interest) due 1 st April 1865 with interest to day of sale claim No. 3.		184	68
	To Joseph W. Nickes for 2 ^d note endorsed by E. Post due 1 st Oct. 1865, and not to draw interest until that date, Claim No. 4		180	00
	To Balance subject to the further order of Court		181	89
			<u>10090</u>	<u>68</u>

Sen. The Real Estate of William Darnon & others in account with Joseph W. Nickes Esq. Trustee for the Sale thereof.

1865 Sept. 6.	By amount of proceeds of Sale made this day as per Trustee report of same filed.		10090	68
			<u>10090</u>	<u>68</u>

P. B. Hopker Auditor
May 3rd 1866

And afterwards on the 24th day of May in the year eighteen hundred and sixty six, the Court passed the following order to wit:
In the Circuit Court for Queen Anne's County Ordered this 24th of May 1866, that the foregoing report of the Auditor be, and the same is hereby ratified and confirmed and the Trustee is directed to apply proceeds accordingly, with a due proportion of interest on the commission and claims, as it has been or may be received

Jno. M. Robinson

William Henry Legg,
Es.
Heirs of Henry C. Legg.

Be it remembered that on the nineteenth day of November
in year eighteen hundred sixty six, William Henry
Legg, by John B. Brown Esquire his attorney files in Court
at here his petition in the words following to wit:-

In the Matter of the Petition of
William Henry Legg, to value and
divide the Real Estate of Henry C. Legg, Deceased

Circuit Court for
Queen Anne's County.

To the Honorable John M. Robinson Judge of the Circuit Court for Queen
Anne's County.

The Petition of William Henry Legg to your Honor respectfully shows that
heretofore he elected to take Lot No. 1. of the real estate in the proceeding of the
above entitled cause and that he had since paid to Mary S. Legg his sister
and the only other heir of the said Henry C. Legg decd., the share of the valua-
tion of said real estate to which she was entitled, principal and interest
and that in consequence of said payment he is entitled to have said Lot No. 1.
conveyed to him: Your Petitioner therefore prays your Honor to pass an order
appointing some one of the surviving Commissioners, (Thomas Tolson one
of said Commissioners having departed this life) to execute a deed of said
Lot No. 1. to your petitioner and as in duty bound. &c

Wm Henry Legg.
John B. Brown
Attorney for Petitioner

Thereupon the Court passed the following Order to wit:-

In the matter of the petition of
William Henry Legg, to value & divide
The Real Estate of Henry C. Legg decd.

In the Circuit Court for
Queen Anne's County.

The Court here having read and considered the foregoing peti-
tion of William Henry Legg and being satisfied of the truth of the facts
set forth therein and that the petitioner is entitled to the relief prayed:

It is thereupon ordered by the Court here this 19th day of November 1866.
that John C. Tolson, one of the surviving Commissioners named in
the above mentioned cause, he and he is hereby authorized and required
to execute and acknowledge a deed of conveyance of Lot No. 1. of the real
estate mentioned in the proceedings in the above cause to William
Henry Legg in fee simple, free, clear and discharged of and from all
claim of Mary S. Legg, the other heir at law of Henry C. Legg. deceased
and of all persons claiming or to claim by, from, through or under
her.

Jms. M. Robinson

Edward B. Newnam, Thomas H.
Booker, and Daniel B. Booker

vs.

James Booker, John Goldsbrough
and M. C. Goldsbrough his wife

Be it remembered that on the twenty sixth day
of April in year of our Lord one thousand, eight
hundred and sixty five, Edward B. Newnam
Thomas H. Booker and Daniel Booker by John
B. Brown Esquire their solicitor files in Court
here their bill of Complaint against the said
James Booker, John Goldsbrough and M. C. Goldsbrough his wife in the words
following to wit:

To the Honorable John M. Robinson, Judge of the Circuit
Court for Queen Anne's County in Equity.

The Bill of Complaint of Edward B. Newnam, Thomas H. Booker, and Daniel B. Booker, of Queen Anne's County, State of Maryland to your Honor respectfully represents that your petitioners and a certain James Booker and a certain Mary C. Goldsbrough are seized in fee as tenants in common of certain Real Estate, situate in County aforesaid at the Centreville Landing on the mill Branch of Loris's Creek, adjoining the lands of your Orator Edward B. Newnam, in the following manner, to wit: - Said Edward B. Newnam is seized of and entitled to an undivided one half part or estate therein, said Thomas H. Booker, Daniel Booker and James Booker are each seized of and entitled to an undivided one twelfth part or estate therein and said Mary C. Goldsbrough is seized of and entitled to an undivided one fourth part or estate in said Real Estate your Orators further aver that said real estate is not susceptible of partition among the several parties entitled thereto as aforesaid without great loss and injury to all of them and that it is to their interest and advantage that said Real Estate be sold and the proceeds arising from the sale thereof distributed among the parties according to their respective interest therein your Orators further aver that said James Booker is an infant under twenty one year of age and that therefore said Real Estate cannot be sold without the interposition of the equitable powers of this Honorable Court and they also aver that said Mary C. Goldsbrough is intermarried with one John Goldsbrough and that all of said parties reside in Queen Anne's County aforesaid. To the end therefore that the said James Booker and the said John Goldsbrough and Mary C. Goldsbrough his wife, may answer the averments and allegations of this bill of Complaint as fully as if they and each of them were therunto specially interrogated and that said Real Estate may be decreed to be sold and the proceeds of sale distributed among your Orators and the said James Booker and the said Mary C. Goldsbrough, wife of John Goldsbrough according to their respective estate and interests therein and that your Orators may have such other and further relief as their case may require; may it please your Honor to grant unto your Orators the State of Maryland's writ of Subpoena to be directed to the Sheriff of Queen Anne's County aforesaid against the said James Booker and the said John Goldsbrough and Mary C. Goldsbrough, his wife, commanding them to be and appear in this Court on some certain day to be therein named and abide by and perform such decree as may be passed in the premises and as in duty bound &c-

John B. Brown
Solicitor for Complainant

Thereupon Subpoena was issued in the form following to wit:-

Queen Anne's County, to wit: The State of Maryland, To James Booker, John Seal, Goldsbrough, and Mary E. Goldsbrough of Queen Anne's County, Circuit Court: Greeting: You are hereby commanded, that all excuses set apart As W. W. you personally appear before the Circuit Court for Queen Anne's, Md. County, sitting as a Court of Equity, to be held at Centreville in said County, on the first Monday of May next, to answer unto the complaint of E. B. Newnam, Thomas N. Booker & S. B. Booker against you in the book exhibited. Therefore fail not as you will answer the contrary at your peril, Witness the Honorable John M. Robinson Judge of our said Court the twenty third day of January 1865. Signed the 26th day April 1865.

Samuel E. Dyott, Clerks,

Seal
Circuit Court
Queen Anne's
County
Maryland
April 26th 1865
50
cents

And afterwards on the first day of May 1865, the foregoing subpoena was returned, thus endorsed to wit: Summoned
Jm. J. Ford. Sheriff.

Thereupon Commission was issued in the following form to wit:

State of Maryland, Queen Anne's County, to wit: Seal: The State of Maryland to Thomas B. Booker Esquire, of Queen Anne's County: Greeting: Whereas E. B. Newnam, Thomas N. Booker and S. B. Booker, have lately exhibited their bill of Complaint: in the Circuit Court for Queen Anne's County, as a Court of Equity: setting forth Edward B. Newnam, Thomas N. Booker, Daniel Booker, James Booker and Mary E. Goldsbrough are seized in fee as tenants in common, of certain Real Estate situate in County aforesaid on the Centreville Landing on the Mill branch of local Creek adjoining the lands of E. B. Newnam, in the following manner to wit: Said Edward B. Newnam is seized of and entitled to an undivided one half part or estate therein, said Thomas N. Booker, Daniel B. Booker and James Booker are each seized of and entitled to an undivided one twelfth part or estate therein, and said Mary E. Goldsbrough is seized of and entitled to an undivided or one fourth part or estate in said real estate, your orator further avers that said Real Estate is not susceptible of partition among the several parties, entitled thereto as aforesaid without great loss and injury to all of them, and that it is to their interest and advantage that said Real Estate be sold, and the proceeds arising from the sale thereof, distributed among the parties according to their respective interests, and whereas by our writ we have lately commanded James Booker, John Goldsbrough and M. E. Goldsbrough his wife. to appear in our said Court at a certain day now past: to answer unto the said Bill. But for as much as the said James Booker is an infant under age and cannot answer the said bill, nor defend this suit without having a guardian assigned in that behalf. Be it therefore known that the said Court has given unto you full power and authority to assign and appoint a guardian for said infant, and to take the answer of said infant by such guardian to the said bill. And you are hereby requested that at such day and place as shall think fit, you go to the said Infant if he cannot conveniently come to you, and assign and appoint a guardian to said infant, and take the answer of said infant, on such guardian's Corporal Oath, to be administered by you, upon the Holy Ev-

angely of almighty God. the said answer being distinctly and plainly written and when you shall have taken said answer, you are to send the same close under your hand and seal, together with your certificate of your having assigned such Guardian as aforesaid, and this writ unto the said Court.


Witness the Honorable John M. Robinson Judge of the said Court the first day of May 1865.

Issued this 2^d day of May, 1865. Samuel E. Dyott, Clerk,

And afterwards on the 22^d day of May 1865, the Commissioner makes return of the execution of the aforesaid Commission in the words following to wit:

To the honorable John M. Robinson Judge of the Circuit Court for Queen Anne's County.

The subscriber, being the Commissioner named in the annexed Commission, hereby certifies that in execution of the powers thereby vested in me I did on the nineteenth day of May in the present year eighteen hundred and sixty five at my own Dwelling House in Queen Anne's County aforesaid where James Boker, the Infant named in said Commission then was, cause said Infant to be brought before me and then and there, in the presence of said Infant assigned and appointed John G. Watson of County of aforesaid Guardian to said Infant and took the answer of the said Infant by his said Guardian and under the Oath of said Guardian, by me administered to the Bill of Complaint in said Commission mentioned, which said answer with said Commission is herewith returned closed under my hand and seal this nineteenth day of May in the year aforesaid.

Thomas B. Boker 

The answer of James Boker, an Infant under the age of twenty one years, by John G. Watson his Guardian, to the Bill of Complaint of E. B. Newnam and others against him in Equity exhibited, this Defendant can not admit any of the matters and things alleged in the said Bill, and being an Infant of tender years submits his rights to the protection of this Court.

John G. Watson.

On the nineteenth day of May in the year Eighteen Hundred and sixty five the above named John G. Watson appeared before me Commissioner and made oaths that the matters and things stated in the aforesaid answer are true to the best of his knowledge and belief

Thomas B. Boker.

Thereupon Commission was issued in the form following to wit:-

Seal: Queen Anne's County to wit: The State of Maryland.
 Circuit Court: To James Waters Esquire of Queen Anne's County, Greeting.
 Queen Anne's County: Be it known that you are hereby appointed Commissioner
 to examine evidences in a cause, depending in the Circuit Court for Queen Anne's County between E. B. Newnam Thomas W. Boker and D. B. Boker, Complainants and James Boker, John Goldborough and M. C. Goldborough his wife. Respondants. You are therefore hereby required having first the Oath hereto annexed,

And also administered the annexed oath, to the person whom you shall appoint as clerk to attend the execution execution of this commission: that at such time and place, as to you shall seem convenient, you cause to come before you all such evidence as shall be named and produced to you by either the complainants or respondents and that you examine them on their book and Oath to be by you administered upon the Holy Evangelij of Almighty God touching their knowledge or remembrance of anything that may relate to the cause aforesaid. And that you cause notice to be given to the parties or their solicitors of the execution of this commission, before you execute the same, and having reduced the deposition of the witnesses so taken by you into writing you send the same with this commission, closed under your hand and seal to the said Circuit Court, with all convenient speed.

Witness the Honorable John M. Robinson Judge of the said Court the first day of May 1865.

Given the 12th day of June 1865. Samuel E. Dyott, Clerk.

Commissioners Oath.

You James Waters shall according to the best of your skill and knowledge truly, faithfully and without partiality to any or either of the parties in this cause, take the examinations and depositions of all and every the witnesses produced and examined by virtue of the commission hereto annexed, upon the interrogatories, now or which may hereafter before the said commission is closed be produced to and left with you, by either of the said parties so help you God.

Sworn before Jno. M. Robinson

Clerks Oath.

You x x x x shall truly, faithfully and without partiality to any or either of the parties in this cause take, write down and transcribe the depositions of all and every the witnesses produce before and examined by the the Commissioner named in the commission hereto annexed, as far forth as you are directed and employed by the said Commissioner to take write down and transcribe the said depositions or any of them. So help you God.

Sworn before x x x x x

And afterwards, on the nineteenth day of June in the year Eighteen hundred and sixty five. James Waters Esquire the Commissioner named in the said Commission makes return of the execution thereof in the manner and words following to wit:

- Edward B. Newhall, Thomas
- N. Parker & D. B. Parker,
- vs.
- James Parker, John Goldsbrough
- Mary C. Goldsbrough, his wife

In the Circuit Court for Queen Anne's County in Equity.

Interrogatories to be propounded to witnesses called to testify for complainants,

- 1st are you or not acquainted with the parties to this cause; if yes how long have you known them;—
- 2nd Are you or not acquainted with the property described in the bill of Complainant, if you state if in your opinion said property is susceptible of division or not among the several parties entitled thereto according to their respective interests therein and in facts upon which said opinion is based—
- 3rd State whether or not in your opinion it is for the interest and advantage of all parties in interest that said property should be sold and the proceeds of sale distributed among the several parties entitled thereto; and the reasons upon which said opinion is based,
- 4th What in your opinion is the marketable value of said property in its present condition—

John B. Brown
Solicitor for Complainants

To the Honorable John M. Robinson Judge of the Circuit Court for Queen Anne's County.

At the execution of the annexed Commission issued out of the Circuit Court for Queen Anne's County, and to me directed, empowering me to examine evidences in a cause depending in said Court between Edward B. Newnam, Thomas W. Roker and Daniel B. Roker are Complainants and James Roker and John Goldsbrough and his wife, are Respondants & James Wothers, Commissioners therein named, having taken the Oath annexed to said Commission, did, at Centerville, on the nineteenth day of June 1865, (the usual notice by the Solicitors being waived) proceed to take the following depositions.

Robert G. Price a witness of lawful age, produced and examined on the part of the Complainants, being duly sworn deposes and says:

To the first interrogatory, knows all the parties and has known them for a number of years.

To the second interrogatory, he knows the said property and thinks it incapable of division among the parties entitled thereto because the sale of would be too small to be profitable.

To the third interrogatory, it would be to the interest of all the parties to sell said property and divide the proceeds of sale, because the property is constantly becoming less valuable on account of its annually becoming more in need of repairs not only in consequence of Natural decay, but a portion of it being unoccupied, that said property is very much out of order and needing repair, and annually becoming less valuable, and the interest on the whole purchase money would be more than the income arising from rent of a portion of said property, especially after deducting taxes and repairs on the whole property.

To the fourth interrogatory, that said property is worth about seven hundred dollars.

Robert G. Price.

Andrew G. Collins a witness of lawful age, produced and examined on the part of the Complainants, being duly sworn deposes and says. To the first interrogatory, that he knows all the parties except James Roker.

To the second, third and fourth interrogatories witness says, that having heard the answers of Robert G. Price to said interrogatories, he adopts the answers of said witness to said interrogatories as his.

W. J. Collins.

There being no other witnesses to be examined, and neither party desiring further time for the production of evidence, the Commissioner closed the said Commission and herewith returns the same under his hand and seal, this 19th day of June 1865.

James Woters  Commissioner.

Costs. Commissioner \$ 4.10
Witnesses 1.50
\$ 5.60

Thereupon the following answers were filed to wit:—

Edward B. Newnam & others Pls.	}	In the Circuit Court for Queen Anne's County in Equity.
James Booker, John Goldsbrough, & Mary C. Goldsbrough his wife		

To the Honorable John M. Robinson, Judge of the Circuit Court for Queen Anne's County in Equity.

The joint and several answers of John Goldsbrough and Mary C. Goldsbrough, his wife, to the bill of Complaint of Edward B. Newnam and others against them and James Booker, Infant under twenty one years of age, preferred, to your Honor, humbly sheweth, that as charged in said Bill the said E. B. Newnam, Thomas N. Booker, Daniel B. Booker James Booker and Mary C. Goldsbrough are seized and possessed of the granary property described therein as tenants in common in the following proportions to wit: the said E. B. Newnam of an one half estate or interest therein in fee, the said Thomas N. Booker, Daniel B. Booker and James, each of an one twelfth estate or interest therein in fee, and the said Mary C. Goldsbrough of an one fourth estate or interest therein in fee — that as charged in said Bill said Real estate is not susceptible of division among the parties entitled thereto according to their respective interest therein nor indeed is it susceptible of advantageous division at all, said property consisting of several acres of land with two small granaries thereon with a tenant house for the use of the granary keeper — that in their opinion it is manifestly for the advantage of all concerned that said property should be sold and the proceeds distributed among the parties entitled thereto according to their respective interests in same, since in the condition in which said property now is, needing repairs and in part unoccupied and the difficulty in renting same and collecting the rents when rented, the money arising from the sale thereof when divided could be applied and used to better advantage by the parties entitled thereto than the property as now owned by them — Your Respondents therefore consent to a decree as prayed in said Bill of Complaint and as in duty will ever pray &c

John Goldsbrough
Mary C. Goldsbrough.

Therefore the Court passed the following Decree, to wit:

E. B. Newnam, Thomas N. Bookers
and Daniel B. Bookers

vs.

John Goldborough & Mary C. Gold-
borough his wife & James Bookers,
Infant under twenty one years of age

In the Circuit Court for
Queen Anne's County in Equity

This cause standing ready for hearing and being submitted without argument, the proceedings were read and considered - It is thereupon on this 11th day of July in the year eighteen hundred and sixty five by the Circuit Court for Queen Anne's County in Equity and by the authority thereof adjudged, ordered and decreed that the real estate in the proceedings mentioned and described be sold - that John B. Brown of Queen Anne's County, Maryland be and he hereby is appointed Trustee to make said sale and that the course and manner of his proceedings, shall be as follows: He shall first file with the clerk of the Circuit Court for Queen Anne's County a bond to the State of Maryland executed by himself with a surety or sureties to be approved according to law in the penalty of Twenty Hundred dollars conditioned for the faithful performance of the trust reposed in him by this Decree or that may be reposed in him by any future order or decree in the premises - He shall then proceed to sell said Real Estate, having first given at least three weeks previous Notice to be inserted in some newspaper printed in the town of Centerville and such other notice as he may deem proper of the time, place, manner and terms of sale which terms shall be as follows: One hundred and fifty dollars cash on the day of sale and the residue of the purchase money to be payable in three equal instalments six twelve & eighteen months from day of sale with interest on each instalment from the day of sale as it shall become due and to be secured by the bonds or notes of the purchasers with security to be approved by the Trustee - and as soon as convenient after said sale 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 said sale annexed and on the ratification of said and on the payment of the whole purchase money (and not before) the said Trustee shall by a good and sufficient deed to be by him executed and acknowledged agreeably to law convey to the purchaser or purchasers thereof 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 or any claiming by from or under them, and the said Trustee shall bring into this Court the money arising from said sale and the notes or bonds that may be taken for same to be disposed of under the directions of this Court after deducting therefrom the costs of this suit and such commissions to said Trustee as this Court may see fit to allow him in consideration of the skill, fidelity and attention wherewith he shall appear to have discharged his trust -

Jno B. Robinson.

And therefore John B. Brown Esquire, the Trustee named in said Decree files in Court here his bond in the words following to wit:—

Know all men by these presents that we, John B. Brown, Madison Brown and Mordecai Price of Queen Anne's County, State of Maryland, are held jointly bound unto the said state of Maryland in the full and just sum of Twenty Hundred dollars current money to be paid to the said state or to its certain Attorney; to which payment well and truly to be made and ^{done} we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally, jointly by these presents—sealed with our seals and dated this ninth day of September in the year eighteen Hundred and sixty five, Whereas by a decree of the Circuit Court for Queen Anne's County in Equity bearing date the eleventh day of July 1865, and sealed in a cause wherein E. B. Newnam, Thomas M. Booker and Daniel B. Booker are Complainants and John Goldsbrough and Mary C. Goldsbrough his wife and James Booker are Defendants, the above bound John B. Brown was appointed Trustee to make sale of certain Real Estate in the proceeding in the cause mentioned—Now the condition of the above obligation is such that if the above bound John B. Brown do and shall well and faithfully perform the trust reposed in him by this decree or that may be reposed in him by any future order or decree in the premises, then the above obligation to be void, else to be and remain in full force and virtue in law—

signed, sealed and delivered
in the presence of O. W. Johnson

John B. Brown Seal
Madison Brown Seal
Mordecai Price Seal

Therefore John B. Brown Esquire the Trustee appointed by said decree files in Court here his Report of Sales in the words following to wit:—

E. B. Newnam et al.

John Goldsbrough & wife
& James Booker

In the Circuit Court for Queen Anne's
County in Equity,

To the Honorable John M. Robinson, Judge of the Circuit Court for Queen Anne's County in Equity—

The Report of John B. Brown, Trustee appointed by the Decree in this cause to make sale of certain Real Estate therein mentioned, shows that after giving notice of the time, place, manner and terms of Sale by advertisements in the Centreville Observer and Maryland Citizen, two Newspapers published in the town of Centreville, Queen Anne's County aforesaid for more than three successive weeks before the day of Sale and by hand-bills extensively circulated throughout the County aforesaid, he did pursuant to said Notice attend at Centreville on Tuesday the 8th day of August eighteen Hundred and sixty five between the hours of one o'clock and three o'clock, P. M. and there offered said Real Estate, at public auction, to the highest bidder and sold same, consisting of all that Granary Property of which the late Daniel Newnam died possessed, situate at Centreville Landing on Horsea Creek, adjoining the farm called "Chesterfield" being a lot of land with wharf, two granaries and Granary Keeper's House thereon to William D. Hooper and William McKenney trading as Hooper & McKenney, they being

then and there the highest bidder therefore, at and for the sum of one thousand dollars and four cents and your Trustee has since received from said Blooper & McKenney the cash payment of one hundred and fifty dollars and the bond of said parties with John McKenney as security, thereto in the sum of eight hundred and fifty dollars and four cents payable in six, twelve and eighteen months from day of Sale with interest on each instalment as it shall become due - Granary Keepers House sold subject to Tenancy for this present year, and your Trustee files herewith his bond conditioned for the faithful performance of his trust as required by said decree All which is respectfully submitted.

John R. Brown
Trustee.

State of Maryland, Queen Anne's County, to wit:

a On this 9th day of September 1865 before me the subscriber a Justice of the Peace of State in and for County of said personally appeared the above named Trustee John R. Brown and made oath that the matters and things stated in the foregoing report are true to the best of his knowledge and belief and that the sales therein reported were fairly made.

Robt. C. Baynard J. P.

W.B.
J.P.
Sept 9th 1865
65
Seute.

and afterwards on the 27th day of September in the year eighteen hundred and sixty five, the Court passed the following Order to wit:

In the Circuit Court for Queen Anne's County in Equity.
Ordered that the sale of the Granary Property of which the late Daniel Newnam died possessed, situate at Centreville Landing on Chesica Creek, be ratified and confirmed, unless cause to the contrary be shown on or before the 21st day of November next provided a copy of this Order be inserted in some paper printed at Centreville once in each of three successive weeks before the 18th day of October next.

The Report states amount of sales to be \$1000. 04.

Saul E. Dyott, Clerk.

Thereupon further process of an upon the premises of a said is further continued by regular continuances from term to term of the said Court until the fourth Monday of July next at which said fourth Monday of July in the year Eighteen Hundred and sixty six comes into Court here as well the said E. B. Newnam, Thomas W. Boker, and Daniel B. Boker, Complainants, and the said John Goldsborough and Mary E. Goldsborough his wife and James Boker, Defendants, and thereupon the Court passed the following Order to wit:-

In the Circuit Court for Queen Anne's County in Equity - July Term 1866 - Ordered this 19th day of September 1866. that the within sale reported by John R. Brown, the Trustee, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although notice appeared to have been given in pursuance of conditional order heretofore passed herein

Jno. W. Robinson

And thereupon P. B. Hoopes Esquire Auditor files in Court here his report following to wit:-

E. B. Neuman J. W. Booker & others,
 P.S.
 Mary C. Goldsbrough & James Booker } To the Circuit Court for
 Queen Anne's County.

To the Honorable J. M. Robinson Judge.

The Auditor respectfully reports that he has examined the proceedings in this cause, and has therefrom prepared the following account between the Real Estate mentioned in the proceedings and J. B. Brown, Trustee for the sale thereof, in which he has allowed to the Trustee his commission^{and} expenses, to the complainants and Defendants each their costs of suit and to the Auditor his fee, the residue, he has divided among the parties entitled thereto according to the proportions stated in the Bill of Complainant.

P. B. Hoopes Auditor
 Sept: 19. 1866.

To: The Real Estate of Edward B. Neuman & others in acct with J. B. Brown Trustee for the Sale thereof.

1865					
Aug 8	To the Trustee for his commissions			67	50
	To the Trustee for his expenses			23	15
	To The Comptee for their costs of suit viz:				
	Solicitor	20	00		
	S. C. Dyott lclks	19	90		
	Sheriff Ford	1	35		
	James Waters Comms to take testimony	4	10		
	Robert G. Price witness		75		
	A. S. Collins "		75		
	Stamps		50		
	Thomas B. Booker Comms. to assign Guardian	4	00	51	35
	To the Defendants for their costs of suit viz:				
	Solicitor	11	00		
	S. C. Dyott lclks	2	40	12	40
	To the Auditor			4	50
				158	90
	To E. B. Neuman	420	57	420	57
	To M. C. Goldsbrough wife of Jno. Goldsbrough	210	28 1/2	210	28 1/2
	To Thomas W. Booker	70	09 1/2	70	09 1/2
	To Daniel B. Booker	70	09 1/2	70	09 1/2
	To James Booker	70	09 1/2	70	09 1/2
				1000	04

Dr.

<p>1865 Aug 8."</p>	<p>By amount of proceeds of sale as per Trustee report of Same filed</p>	<p>1000</p>	<p>04</p>
		<p>1000</p>	<p>04</p>

P. B. Hoopes Auditor
Sept 19, 1866.

Clayton Wright & John S. Bonstable
Executors of William S. Bonstable
vs.
Grunilda Spencer & Thomas W. Mummy

Be it remembered that on the
twenty first July in the year
eighteen hundred and sixty four
Clayton Wright & John S. Bonstable
Executors of William S. Bonstable

By Madison Brown and John B. Brown Esquires their Solicitors files in Court here
their Bill of Complaint against the said Grunilda Spencer & Thomas Mummy in the words following to wit:
To the Honorable James B. Ricard Judge of the Circuit Court for Queen Anne's County.

The Bill of Complaint of Clayton Wright of Queen Anne's County and John S. Bonstable of Kent County Executors of the last will and testament of William S. Bonstable late of Kent County deceased to your Honors humbly shows, that a certain Thomas W. Mummy was heretofore appointed Guardian of one Robert Spencer by the Orphans Court of Baltimore County and gave Bond as such with your Orator the said Clayton Wright and William S. Bonstable the testator of your Orator John S. Bonstable as sureties for the faithful discharge of his duties as such Guardian as per copy of said Bond herewith filed as part of this Bill marked Exhibit A. will more fully appear: that said Robert Spencer arrived at the age of twenty one years on the sixteenth day of November 1860 at which said time there was due to him on account of said Guardianship the principal sum of \$ 11704.84. with interest thereon from the 30th day of December 1851 as per Exhibit B. a copy of the tenth Guardian account of said Robert Spencer herewith filed as part of this Bill will appear and the further principal sum of \$ 813.50 paid to said Thomas W. Mummy as Guardian aforesaid by the said John S. Bonstable as executioner of W^m S. Bonstable, with interest thereon from the 13th day of October 1854 subject nevertheless to the following payments and none other, made through your Orator Clayton Wright out of funds placed at his disposal by the said Thomas W. Mummy Guardian as aforesaid, to wit: \$ 256.44 paid January 10th 1859, \$ 256.44 paid January 10th 1860, \$ 256.44. paid January 24th 1861, and \$ 200. paid early in 1862, \$ 500. paid June 17th 1862, \$ 400. paid August 17th 1862, \$ 600. paid December 13th 1862, \$ 1000. paid June 9th 1863, and \$ 500. paid on the 12th or 13th day of April 1864. making the total payments amount to the sum of \$ 4769.32 but which amount is insufficient to cover the accruing interest or so much thereof as had accrued at the date of any of said payments; that the four first mentioned payments amounting to the sum of \$ 969.32 were made to the said Robert Spencer or to a certain Grunilda Spencer on account of his maintenance and support, that the subsequent payments were made to the said Grunilda Spencer as assignee of said Robert Spencer by assignment in writing under seal of the said Robert, dated the 11th day of March 1862, and of which your orator had due notice. That he the said Thomas W. Mummy further to save his said sureties on his Guardian Bond executed a Mortgage to your Orator Clayton Wright on the 29th day of April 1859 of certain Real Estate situate in Queen Anne's County called, Redbourne Rectified and also of certain personal property as per Exhibit C. Will more fully appear, said original Mortgage herewith filed as part of this Bill, with a proviso that if the said Thomas W. Mummy should faithfully discharge his duty as Guardian aforesaid and account with and deliver up to the said Robert Spencer agreeably to Law all the property and Estate of the said Robert in his hands as Guardian that the said Mortgage should

and the sum \$500. paid Dec 5th 1861

be void: that said Thomas St. Mummey has failed to perform the conditions in said Mortgage contained except as above mentioned and that he subsequently sold a portion of said personal property without the knowledge of your Orators or either of them to persons to them unknown and a part thereof was sold, as they are informed and believed, to satisfy executions levied thereon prior to the date of said Mortgage: that the said Thomas St. Mummey has no other Estate or property as your Orators are advised and believe except the aforesaid Mortgaged Real Estate that the said Thomas St. Mummey is now and has been for some years a non resident of the state of Maryland and that the said Grumilda Spencer is demanding of your Orators payment of the unpaid balance as before stated due to her as assignee of said Robert Spencer on the Guardian Bond aforesaid and they are advised that they are entitled to the aid of the Equitable Powers of this Court to have the aforesaid Mortgaged Real Estate sold and the money arising from said sale applied towards the payment of the aforesaid claim in exoneration to that extent of the liability of your Orators or the suretyship aforesaid. To the end thereof that a decree may be passed for the sale of said Mortgaged Real Estate and that the proceeds of said sale may be applied in satisfaction to the extent thereof of the claim for which said Mortgage was given to save your Orators harmless and for such other and further relief as the base of your Orators may require, May it please your Honors to grant unto your Orators an order of Publication giving notice to the said Thomas St. Mummey who is a non resident as before stated of the subject and object of this Bill and warning him to appear in this Court in person or by Solicitor on or before a certain day to be therein named to answer the premises and show cause if any he has, why a decree ought not to pass as prayed and also the State with subpoena against the said Grumilda Spencer who resides in Baltimore County, commanding her to appear in this Court also at some certain day to be therein named to answer the premises and abide by and perform such Decree as may be passed therein and as in duty bound your Orators will ever pray &c.

M + J. B. Brown Solicitors for Comfettes.

The "Exhibit A" referred to in the aforesaid Bill of Complaint is in the words following to wit:-

Robert Spencer's
Guardian Bond

Maryland Co.

Know all men by these Presents ~ That we Thomas St. Mummey, William S. Constable and Clayton Wright are held and firmly bound unto the state of Maryland, in the full and just sum of Twenty thousand Dollars, to be paid to the State of Maryland aforesaid, to which payment, well and truly to be made and done, We bind ourselves, and every of us, our and every of our Heirs, Executors and Administrators, in the whole, and for the whole, jointly and severally, firmly by these presents, sealed with our seals: dated this 4. day of November in the year of our Lord Eighteen hundred and forty one.

The condition of the above obligation is such. ~ That if the above bounden Thomas St. Mummey as Guardian to Robert Spencer of Baltimore County, Orphan Son of Edward Spencer, deceased, shall faithfully account with the Orphans Court of Baltimore County as directed by law, for the management of the property and estate of the Orphan under his care, and shall also deliver up the said property agreeably to the order of

the said Court, or the directions of law, and shall in all respects perform the duty of Guardian to the said Robert Spencers according to law then the above obligation shall cease, it shall otherwise remain in full force and virtue in law.

Signed sealed and delivered }
in the presence of }
D. M. Perine }

Thomas V. Mummy Seal
W. S. Constable Seal
Clayton Knight Seal

Approved by the Orphan Court for Baltimore County on the 4th day of November 1841. Same day filed and recorded and examined.

Test: D. M. Perine, Register of Wills for Baltimore County.

In Testimony that the foregoing is a true copy taken from Guardian Bonds Lib. D. No. 9. folio 17c being one of the records in the Office of the Register of Wills for Baltimore City.

Bill of the Orphan Court Seal and Register of Wills Baltimore City Maryland

I hereto subscribe my name and affix the seal of my Office this Twenty ninth day of April in the year of our Lord eighteen hundred and sixty three.

Test:

Isaac P. Cook, Register of Wills for Baltimore City.

The "Exhibit A." referred to in the foregoing Bill of Complaint is in the words following to wit:

Robert Spencers
10th Guardians Account.

Baltimore City, D.C.

The tenth account of Thomas

Orphan son of Edward Spencers, deceased. V. Mummy, Guardian of Robert Spencers,

This Accountant charges himself with the balance due on his last account settled the 1st day of January 1851, and amounting to

And with Interest on said \$ 11,571.35 from the 30th day of December 1850 to the 30th day of December 1851

\$11,571	35
694	28
\$12,265	63

And he craves an allowance for the following Payments and Disbursements.

Cash paid William Hamilton for tuition of the ward &c fees accounts and receipts appear.

\$ 69 62

Ditto paid Charles Simon for sundry dry goods for the ward for account and receipts appear.

18 07

Ditto paid William Collins for sundry clothing for the ward for accounts and receipts appear.

50 25

Ditto paid James Collins for shoes for the ward for account and receipts appear.

1 25

Ditto paid John G. Pons for same for account and receipts appear.

1 37

Ditto paid R. G. Taylor for a hat and cape for the ward, for account and receipts appear.

6 87

Ditto paid Matthias Schulz for boots and shoes for the ward for account and receipts appear.

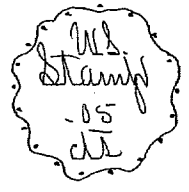
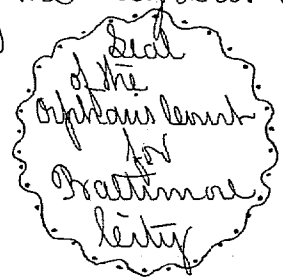
8 56

Ditto paid Dorsey & North for dry goods for the ward for account and receipt appears	3 63
Ditto paid for sundry articles of clothing and other incidentle expenses of the ward, from the 1 st of March 1850 to the 1 st of December 1851 for account thereof appears	21 06
Ditto allowed this Accountant for the boarding, washing and mending for the ward from the 1 st of December 1850 to the 1 st of December 1851	32 5
Ditto paid Registers fee and for copy of this Account	3 04
This Accountants Commission on \$694.28 at 7 1/2 per cent	52 07
Payments and Disbursements	\$ 560 47
Balance due the Orphan	11.704 84
Estate accounted for	\$12.265 63

Baltimore city, Md. - on the 20th of January 1852, came Thomas W. Mummey, Guardian as aforesaid, and made oath on the Holy Evangelij of Almighty God, that the foregoing account is just and true as stated and that he has paid or secured the payment of every sum or sums for which he craves an allowance which after examination passed by order of the Orphans Court.

Test: N. Wickman. Register of Wills for Baltimore city.

In Testimony, that the foregoing is a true copy taken from Guardians Accounts, Liber D. No. P. No. 26. folio 59 &c being one of the Records in the Office of the Register of Wills for Baltimore city.



I herewith subscribe my name and affix the seal of my office this Twentieth day of April in the year of our Lord eighteen hundred and sixty-three

Test: Isaac P. Cook. Register of Wills for Baltimore city.

The "Exhibit b." referred to in the foregoing Bill of Complaint now remains on file in this cause and is not recorded by order of Complainants Solicitor, a copy thereof filed on the thirty first day of May in the year eighteen hundred and sixty five is in the words following to wit:


Queen Annes County to wit: be it remembered that on the twenty ninth day of April 1859 the following deed of Mortgage was brought to be recorded to wit:

This Deed or indenture made this twenty ninth day of April in the year eighteen hundred and fifty nine between Thomas W. Mummey of Queen Annes County in the State of Maryland of the one part, and Clayton Wright of the same County and State of the other part: whereas the said Clayton Wright and a certain William S. Constable late of Kent County in the State aforesaid deceased at the special instance and request of the said Thomas W. Mummey, became the sureties of the said Thomas W. Mummey, on his bond to the State of Maryland in a large sum of money conditioned for the faithful performance in all respects by the said Thomas W. Mummey of the duty of Guardian to one Robert Spencer his Nephew, who at the date of the said bond was living with his Mother Grinelda Spencer in the City of Baltimore in the State aforesaid, and whereas the said bond was approved by the Orphans Court for Baltimore County in the same State and was recorded in the Office of the Register

of Mills for the said last mentioned County as by reference thereto will more fully appear: and whereas also the said Wrayton Wright and the executor and estate of the said William S. Constable are still liable on the said bond for the faithful performance of the condition thereof by the said Thomas W. Mummey, and the said Thomas W. Mummey, is anxious to secure and indemnify the the said Wrayton Wright and the executor and estate of the said William S. Constable from and against all loss and damage by reason of the aforesaid Surety ship of the said Wrayton Wright and the said William S. Constable and is therefore willing to execute these presents, Now this deed or indenture witnesseth that the said Thomas W. Mummey for and in consideration of the premises and for and in consideration of the sum of one dollar current money to him the said Thomas W. Mummey, by the said Wrayton Wright in hand well and truly paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, hath granted bargained sold, released and confirmed and by these presents doth grant bargain sell release and confirm unto the said Wrayton Wright his heirs and assigns All that farm or part of a tract of land lying and being in Spaniards Neck in Queen Annes County in the State of Maryland called "Readbourne Rectified" which was heretofore conveyed by metes and bounds courses and distances by a certain Edward Longmays of Kent County in the State aforesaid to the said Thomas W. Mummey by deed bearing bearing date on the thirtieth day of October in the year eighteen hundred and forty one and recorded in Liber P. T. No. 3, folios 447 + 448 one of the land record books of Queen Annes County aforesaid saving and excepting from the operation of these presents all those parts of the said farm or part of a tract of land hereby granted bargained and sold which were heretofore sold and conveyed by the said Thomas W. Mummey and Martha L. Mummey his wife to a certain John R. Emory by two deeds duly executed acknowledged and recorded among the land records of Queen Annes County aforesaid and also all that portion of the said farm which has been sold and conveyed by the said Thomas W. Mummey and wife to one James Harris by deed bearing even date with these presents and the said Thomas W. Mummey for the consideration aforesaid doth also by these presents grant bargain and sell to the said Wrayton Wright his executors administrators and assigns all the horses, mules cattle, sheep, hogs, farming implements and Wachenees, household and kitchen furniture and utensils, negroes and all other goods and chattes now owned by and in the possession of the said Thomas W. Mummey to have and to hold all the said farm or part of a tract of land called "Readbourne Rectified" heretofore granted bargained and sold (except as herein before excepted) and every part thereof with the appurtenances thereunto belonging and also all the personal property herein before granted bargained and sold unto the said Wrayton Wright his heirs, executors, administrators and assigns to the only proper use and behoof of the said Wrayton Wright his heirs executors, administrators and assigns forever: Provided always and it is the true intent and meaning of these presents and of the said parties hereto that if the said Thomas W. Mummey as Guardian to the aforesaid Robert Spencers do and shall faithfully account as directed

by law for the management of the property and estate of the said Robert Spences under his care, and shall deliver up the said property agreeably to the directions of law and shall in all respects perform the duty of Guardian to the said Robert Spences according to Law, and shall also from time to time and all times hereafter save himself and keep indemnified the said Clayton Wright his heirs, executors and administrators and the executors heirs devisees, legatees and representatives of the said William S. Constable of and from all suit and suits damages, sum and sums of money costs and charges whatsoever which he the said Clayton Wright his heirs, executors or administrators or the executor heirs devisees, legatees or representatives of the said William S. Constable shall or may at any time or times hereafter sustain or be put unto by reason or means of the said Clayton Wright and William S. Constable's being bound as Sureties for the said Thomas W. Mummey on his aforesaid bond as Guardian to the said Robert Spences, then and from thenceforth these presents and every matter and thing therein contained shall cease and be utterly null and void, any thing therein contained to the contrary thereof in any wise notwithstanding, In witness whereof the said Thomas W. Mummey hath hereunto set his hand and affixed his seal on the day and in the year first herein before written.

Signed Sealed and delivered in the presence of Lloyd Trighman }
A. A. Duhamel }

Thomas W. Mummey 

State of Maryland, Queen Anne's County to wit:

I hereby certify that on this twenty ninth day of April in the year eighteen hundred and fifty nine before the subscribed a Justice of the Peace of the State of Maryland in and for Queen Anne's County aforesaid personally appeared Thomas W. Mummey and acknowledged the foregoing deed to be his act:

A. A. Duhamel J. P.

State of Maryland, Queen Anne's County to wit:

I hereby certify that on this twenty ninth day of April in the year eighteen hundred and fifty nine before the subscribed a Justice of the Peace of the State of Maryland in and for Queen Anne's County aforesaid personally appeared Clayton Wright party grantee and Mortgagee in the foregoing deed of Mortgage and made oath in due form of law that the consideration in the said deed of Mortgage is true and bona fide as therein set forth

A. A. Duhamel J. P.

True Copy
Test:

Saml. E. Dyott, Clerk,

And therefore the following Order of Publication was passed to wit:
Clayton Wright & John S. Constable
Exrs. of William S. Constable

Circuit Court for
Queen Anne's County,
In Chancery
July Term 1864

Grainilda Spences and
Thomas W. Mummey

The object of this suit is to procure a Decree for the sale of certain Mortgaged Real Estate in Queen Anne's County, which were Mortgaged by the Defendant Thomas W. Mummey to the Complainant Clayton Wright on the 29th day of April 1859.

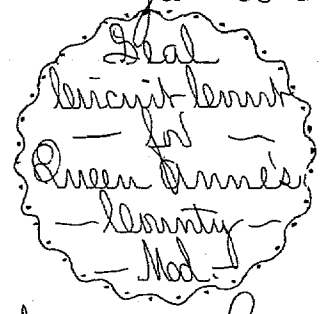
The Bill States that heretofore the said Thomas W. Mummey was appointed Guardian to one Robert Spencer by the Orphans Court of Baltimore County and gave Bond with Clayton Wright and William S. Constable, the Testator of John S. Constable as his securities: that said Robert arrived at the age of 21 years on the 16th day of November 1860: that at said time there was due to him from his said Guardian the principal sum of \$11704.84 and interest from December 30th 1851 and the further principal sum of \$813.50 and interest from the 13th October 1854 subject to sundry payments amounting in all to \$4769.32 made by the Complainant Clayton Wright out of funds placed in his hands by the Defendant Thomas W. Mummey, said payments being all, and being insufficient to cover the accruing interest: that after payments amounting to \$969.32 had been made to the said Robert or on his behalf, the said Robert by writing under seal assigned the residue of his claim to the said Priscilla Spencer, to whom the subsequent payments were made, the Complainants having due notice of said assignment, the date thereof being the 11th day of March 1862: that the said Thomas W. Mummey further to save his securities harmless on the said 29th April 1859 executed a Deed of Mortgage to said Clayton Wright of certain real Estate situate in Queen Anne's County called "Redburn Rectified" and also of certain personal property which are particularly described in "Exhibit B," accompanying the Bill: that part of said personal property was sold under executions levied thereon prior to the date of said Mortgage and part by the said Thomas without the knowledge of the Complainants to persons to them unknown: that to said Mortgage was annexed a condition that it should be void: by the said Thomas' faithful discharge of his duty as Guardian and his accounting with and delivery up to the said Robert his property and estate agreeably to law: that he has failed to perform this condition except to the extent of the payments above mentioned: that the said Thomas has no other property or estate except the aforesaid Mortgaged Real Estate: that he is now and has been for some years a non resident of Maryland: that the said Priscilla Spencer is demanding payment of the Complainants of the balance of the claim so as above assigned to her by the said Robert and that they are entitled to have the same sold and the proceeds of Sale applied to the payment thereof in exoneration to that extent of the liability of the Complainants on the Suretyship aforesaid.

It is therefore, adjudged and ordered this 25th day of July 1864 that the Complainants by causing a copy of this order to be inserted in some newspaper published at Centerville in Queen Anne's County once in each of four successive weeks three months before the first day of December next give notice of the substance and object of this Bill to the said absent Defendant, and warn him to appear in this Court in person or by Solicitor on or before the tenth day of December next to answer the premises and show cause, if any he has, why a Decree ought not to pass as prayed.

Samuel E. Dyott Clerk.

And thereupon Subpoena to lie in Office was issued in the words following to wit:

Maryland &c: The State of Maryland to Annilda Spencer of Baltimore County, greeting: You are hereby commanded, that all excuses set apart, you personally appear before the Circuit Court for Queen Anne's County, sitting as a Court of Equity, to be held at Centerville, in and for said County, on the fourth Monday of July, instant, to answer unto the Complaint of Clayton Wright, and John S. Constable Executor of the last Will and Testament of William S. Constable, against you and Thomas W. Mummey in the said Court exhibited -



Whereof fail not, as you will answer the contrary at your peril, Witness the Honorable James B. Ricard, Judge of the Said Court, the twenty fifth day of July in the year eighteen hundred and sixty four.

Samuel E. Dyott, Clerk

Thereupon further process, of and upon the premises aforesaid, is further continued until the first Monday of November next, at which said first Monday of November in the year eighteen hundred and sixty four, comes into Court here as well the said Clayton Wright and John S. Constable by Madison Brown and John B. Brown their Solicitors aforesaid, and the said Annilda Spencer by Lloyd Tilghman her Solicitor and thereupon the said Annilda Spencer files her answer to the Bill of Complaint aforesaid in the words following to wit:

The answer of Annilda Spencer to the Bill of Complaint of Clayton Wright and John S. Constable executor of William S. Constable against her and others in the Circuit Court for Queen Anne's County exhibited.

This respondent admits, that Thomas W. Mummey was duly appointed guardian to Robert Spencer and gave bond with the sureties alledged in the said Bill, that the said Robert Spencer arrived at the age of twenty one years on the sixteenth day of November 1860, at which time there was due to him on account of said guardianship the principal sum of \$11704.84 with interest thereon from 30th day of December 1851 and the further sum of \$813.50 which had been paid to the said Thomas W. Mummey as Guardian of the said Robert Spencer by the said John S. Constable on the 13th of October 1854, that the several payments set forth in the said Bill of Complaint were severally made at the times therein stated but from what funds this respondent does not know: that the said Robert Spencer by a written paper herewith filed (marked exhibit A,) and dated on the 11th day of March 1862, fully assigned and transferred to this respondent all the money due him from his aforesaid guardian and his said sureties: that the said Thomas W. Mummey did execute and deliver to the said Clayton Wright the Mortgage mentioned in and filed with the said Bill of Complaint: that the said Thomas W. Mummey is not now a resident of the State of Maryland and that this respondent is now claiming and demanding the balance due her as assignee as aforesaid of the said Robert Spencer on the aforesaid guardian bond from the complainants and this respondent not having any knowledge or information of or touching any other of the matters and things set forth in the said Bill of Complaint can neither admit or deny the same. This respondent consents to a decree

of the real estate mortgaged as set forth in the said bill of complaint so far as she can properly and legally consent:

Lloyd Pughman
Solicitor for
Grinilda Spencer.

The Exhibit referred to in the foregoing answer is in the words following to wit:

Know all men by these presents that I Robert Spencer of Baltimore County, in the State of Maryland for value received do hereby grant assign, transfer and make over to Grinilda Spencer, of the same County and State, all claim reckonings, accounts, debts, dues and demands, which I the said Robert Spencer now have, or which I my executor or administrators at any time hereafter can or may have claim or demand against Thomas W. Mummey my late guardian, his executors or administrators or against the sureties or his bond as my said guardian, their executor or administrators, for touching or concerning any moneys, debts or property which may or should have been received by the said Thomas W. Mummey as my guardian during my minority or for or by reason of his management or disposal of the same, or for any other matter, cause or thing whatsoever for which the said Thomas W. Mummey as my guardian or his sureties as such may in anywise be responsible to me. And I the said Robert Spencer do hereby make, ordain, constitute and appoint the said Grinilda Spencer her executor, administrators and assignee my true and lawful attorney, and attorney irrevocable in my name or in her or their own name or names, and to her and their own proper use, to ask, demand, sue for, recover and receive from the said Thomas W. Mummey and all and every other person and persons liable therefor all such sum and sums of money and property as are or may become due to me from the said Thomas W. Mummey as my guardian, In witness whereof I herunto set my hand and seal this eleventh day of March Anno Domini 1862.

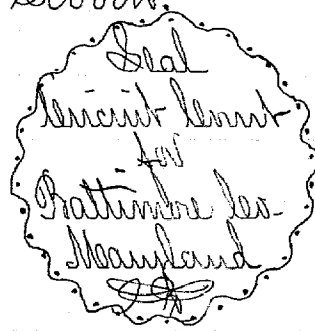
Test:
Jno. H. Longnecker

Robert Spencer 

State of Maryland Baltimore County to wit: on this 11th day of March in the year eighteen hundred and sixty two before the subscribed Justice of the Peace of the State of Maryland in and for the County aforesaid personally appeared Robert Spencer and acknowledged the within deed or instrument of Writing to be his act and deed.

Acknowledged before
Jno. H. Longnecker.

State of Maryland Baltimore County Set:
I hereby certify that Jno. H. Longnecker Esquire, before whom the annexed acknowledgment was made and who has thereto subscribed his name was at the time of so doing a Justice of the Peace of the State of Maryland, in and for Baltimore County, duly commissioned and sworn.

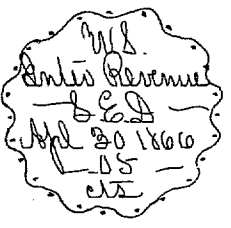
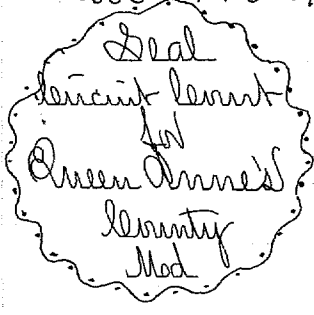


In testimony whereof, I hereto set my hand and affix the seal of the Circuit Court for Baltimore County, this eleventh day of March A. D. 1862.

George H. Carman Clerk
Circuit Court Baltimore County.

State of Maryland, Queen Anne's County to wit:

I hereby certify that the foregoing is truly copied from the original filed Nov 15th 1864 in the office of the clerk of the Circuit Court for Queen Anne's County in a cause where Wlayton Wright and John S. Constable execs of William S. Constable are complainants and Gynilda Spencer and Thomas W. Mummey are Defendants.



In Testimony whereof I hereto subscribe my name and affix the seal of the Circuit Court for Queen Anne's County on this 30th day of April A. D. 1866.

Samuel C. Dyott, Clerk,

And thereupon further process of and upon the premises aforesaid is further continued by regular continuances from term to term of the said Court to the first Monday of May in the year eighteen hundred and sixty five on which said day come into Court here the said Wlayton Wright and John S. Constable by Modestus Porron & John P. Porron Esquires their Solicitors and the said Gynilda Spencer by Lloyd Tighman Esquire her Solicitor, and afterwards to wit: on the thirty first day of the same month the Court passed the following decree to wit:

Wlayton Wright & John S. Constable
Executors of William S. Constable dec'd.
vs.
Gynilda Spencer & Thomas W. Mummey

In the Circuit Court for Queen Anne's County in Equity.

Gynilda Spencer, one of the Defendants to this cause having appeared and answered, consenting to a Decree as prayed in the Bill of Complaint, and the order of publication against Thomas W. Mummey, the other and nonresident and absent Defendant, heretofore passed in this cause having been duly published and the said Defendant having failed to appear and answer the said Bill of Complaint: It is thereupon this thirty first day of May in the year eighteen hundred and sixty five by the Circuit Court for Queen Anne's County in Equity and by the authority thereof adjudged, ordered and decreed that the Bill of Complaint be taken for confessed against said Defendants and it is further adjudged ordered and decreed that the real estate mentioned and described in the proceedings in the cause or so much thereof as may be necessary for the purpose, be sold that John P. Porron of Queen Anne's County, State of Maryland be and he hereby is appointed Trustee to make such sale and that the course and manner of his proceeding shall be as follows: He shall first file with the clerk of the Circuit Court for Queen Anne's County a bond to the State of Maryland executed by himself with a surety or sureties to be approved according to law in the penalty of Twenty thousand dollars conditioned for the faithful performance of the trust reposed in him by this decree or that may be reposed in him by any future order or decree in the premises - He shall then proceed to make sale of the mortgaged Real Estate, having first given at least three weeks previous notice to be inserted in some newspaper printed in the town of Centerville, County aforesaid and such other notice as he may deem proper of the time place, manner and terms of sale which terms shall be as follows; two thousand dollars to be paid in cash on the day of sale or in sixty days from the day of sale secured by negotiable note with two or more endorser

approved by Trustee and the residue of the purchase money to be payable in three equal instalments of nine, eighteen and twenty seven months secured by the notes or bonds of the purchaser with security approved by the Trustee And as soon as 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 this Court and on the payment of the whole purchase money (and not before) the said Trustee shall by a good and sufficient deed to be by him executed and acknowledged agreeably to Law, convey to the purchaser or purchasers thereof 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 or any claiming by from or under them, and the said Trustee shall bring into this Court the money arising from any such sale or sales and the notes or bonds that may be taken for same to be disposed of under the direction of this Court after deducting therefrom the costs of this suit and such commission to said Trustee as this Court may see fit to allow him in consideration of the skill, fidelity and attention wherewith he shall appear to have discharged his trust.

Jno. M. Robinson,

And afterwards to wit: on the twenty seventh day of June in the year eighteen hundred and sixty five, John P. Brown Trustee as aforesaid files in Court here his Bond in the words following to wit:

Know all men by these presents, that we, John P. Brown, Madeline Brown, Lallie E. Bryan and William F. Parrott of Queen Anne's County State of Maryland, are held and firmly bound unto the State of Maryland in the full and just sum of twenty thousand dollars current money, to be paid to the said State of Maryland, or its certain Attorney; to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs executors and administrators, jointly and severally firmly by these presents, sealed with our seals and dated this twenty sixth day of June in the year eighteen hundred and sixty five - Whereas by a decree of the Circuit Court for Queen Anne's County in Equity bearing date the thirty first day of May ultimo and passed in a cause in said Court wherein Clayton Wright and John S. Constable Executors of William S. Constable deceased are Complainants and Grinda Alda Spencer and Thomas M. Morrison are Defendants, the above bound John P. Brown has been appointed Trustee to make sale of certain Real Estate in the proceedings in the cause mentioned Now the condition of the above obligation is such that if the above bound John P. Brown do and shall well and faithfully perform the trust reposed in him by said decree or that may be reposed in him by any future order or decree in the premises then the above obligation to be void. otherwise to be and remain in full force and virtue in Law.

Signed, sealed and delivered }
in the presence of }
J. King B. Emory }
}

John P. Brown }
Madeline Brown }
Lallie E. Bryan }
W. F. Parrott }
} Seal
} Seal
} Seal
} Seal

and upon the back of the foregoing was there endorsed to wit:

Bond Approved June 27th 1865

Saml. E. Dryott clk

And therefore the consent and agreement of Martha S. Mummey widow to sell the said Real Estate clear of her dower is not recorded by order of complainants Solicitor, but remains on file with the papers in this cause

Wherefore further process of and upon the premises aforesaid is further continued until the fourth Monday of July next at which said fourth Monday of July in the year eighteen hundred and sixty five, comes into court here the said Clayton Wright and John S. Bonetable by Madison Brown & John B. Brown Esquires their Solicitors and therefore John B. Brown Esq. Trustee as aforesaid files in court here his report of Sale in the manner and form following to wit:

Clayton Wright & John S. Bonetable
Executors of William S. Bonetable dec'd
Ps.
Thomas W. Mummey & Gynilda Spencer

In the Circuit Court for Queen Anne's County in Equity.

To the Honorable John M. Robinson, Judge of the Circuit Court for Queen Anne's County in Equity.

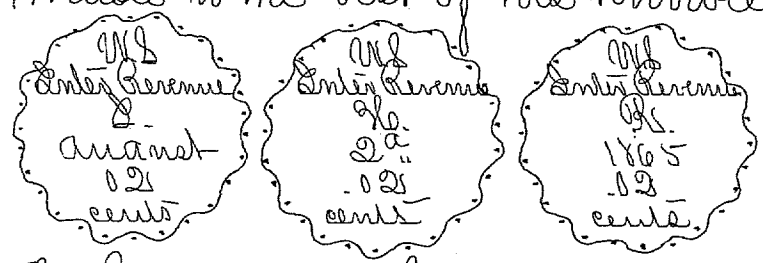
The Report of John B. Brown, Trustee, appointed by the Decree in this cause to make sale of certain Real Estate therein mentioned, shows; that after giving bond with security for the faithful discharge of his trust as required by said Decree and giving notice of the time place manner and terms of Sale by advertisement in the Centreville Observer and the Maryland Citizen, two Newspapers printed in the town of Centreville, Queen Anne's County aforesaid, in the Baltimore Daily Gazette Newspaper in the Village Record a newspaper printed in West Chester, Pennsylvania, and in the * * * * * a Newspaper printed in * * * * * and by handbills extensively circulated throughout this and adjoining States, he did pursuant to said notice attend in said town of Centreville, on Tuesday, the eighteenth day of July in the year eighteen hundred and sixty five, between the hours of one and four O. clock P. M. and then and there proceeded to sell said Real Estate as follows; Your Trustee offered same at public auction to the highest bidder as containing one hundred and ninety three acres and nineteen perches of land more or less and sold same free clear and discharged of any claim, title interest or estate, contingent or otherwise of dower of Martha S. Mummey, wife of said Thomas W. Mummey, (the complainants in the cause having previously filed the written renunciation of said Martha S. Mummey among the proceedings in the cause to any and all right, claim, title or estate of dower in said Real Estate arising or to arise out of her intermarriage with said Thomas W. Mummey and her authority so to sell same) to John John B. Emory of Queen Anne's County aforesaid, he being then and there the highest bidder, at the rate of forty five dollars and seventy five cents per acre or in the aggregate the sum of eight thousand eight hundred and thirty five dollars and twenty one cent - Your Trustee has since received from said purchaser the sum of three thousand five hundred and thirty five dollars and twenty one cents as the cash payment on said purchase (with the consent of complainants and the said Gynilda Spencer) and has taken his bonds for the residue of said purchase executed by himself with John Wilkerson Augustus Mc Cabe Per Wilmer as sureties thereto, each in the sum of

Seventeen Hundred and sixty six dollars and sixty six and two thirds cents and payable with interest thereon respectively in nine, eighteen and twenty seven months from said day of sale your Trustee brings here into court the Plat and certificate of a survey of said Real Estate caused by him to be made by James W. Thompson, County Surveyor of Queen Anne's County and offers same as part of his report of Sale, All which is respectfully submitted,

John B. Brown Trustee,

State of Maryland, Queen Anne's County, to wit: On this 2^d day of August 1865 personally appeared before me, the subscriber, a Justice of the Peace of State in and for County of aforesaid John B. Brown Trustee and made oath in due form of law that the matters and things stated in the foregoing report of Sale are true and that said Sale was fairly made to the best of his knowledge and belief.

John H. Rowleson.



The Surveyors certificate and plat referred to in the foregoing report of the Trustee is in the words and form following to wit:

State of Maryland, Queen Anne's Co., Sect.

I hereby certify that that I have surveyed for John B. Brown Esqr. Trustee, a tract of land called "Readburne Rectified", late the property of Thomas W. Mummery and contained within the following metes and bounds, course and distances to wit: Beginning at a stone at the Southern corner at the end of the line between said land and a wood Lot belonging to Henry Hollyday Esqr. and running thence with the Public road, North forty four degree East one hundred and fifty eight perches and a half perch to a stone the beginning of John Emory's part of the same tract thence North sixty degree thirty minutes West sixty four perches, thence North eighty two degree West forty three perches and a half perch thence North forty degree West fifty two perches, thence North seven degree thirty minutes West nineteen perches and a half perch, thence North sixty degree thirty minutes West sixty seven perches, thence South seventy three degree West thirty four perches thence South twenty five degree West eight perches, thence South six perches thence South twenty three degree East seven perches thence South fifty five degree East ten perches, thence South nine degree East twelve perches, thence South eighteen degree West twenty perches, thence South twelve degree West thirty two perches, thence South eight degree East eight perches thence South twenty seven degree East ten perches, thence South twenty six degree West eighteen perches, thence South forty two degree West thirty four perches, and thence South fifty eight degree thirty minutes East one hundred and sixty eight perches and a half perch to the Beginning containing one hundred and ninety four acre and nineteen perches of land including one acre heretofore sold to James Harris, situated immediately on the Southern corner.

July 15th 1865.

James W. Thompson
Surveyor of Q. A. Co.

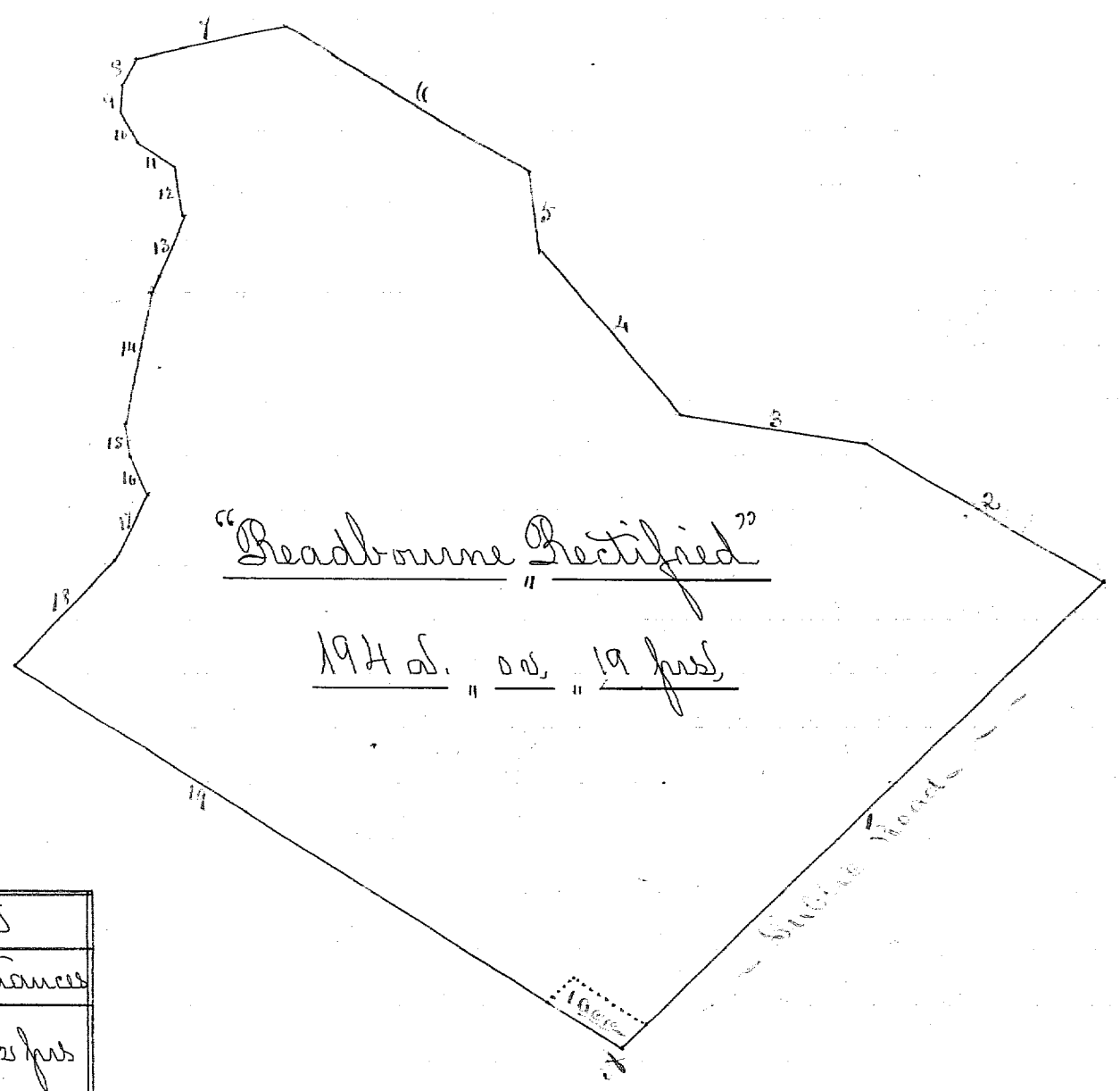
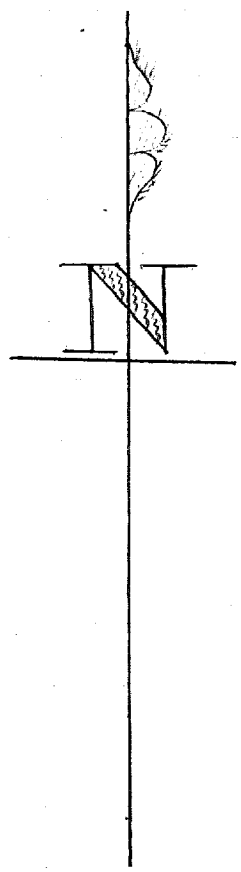


Table of bearings		
B	Bearings	Distances
1	N. 44° E.	158 1/2 fms
2	N. 60° 30' N.	64 "
3	N. 82° N.	43 1/2 "
4	N. 40° N.	52 "
5	N. 7° 30' N.	19 1/2 "
6	N. 60° 30' N.	64 "
7	S. 12° N.	34 "
8	S. 25° N.	8 "
9	South	6 "
10	S. 23° E.	7 "
11	S. 55° E.	10 "
12	S. 9° E.	13 "
13	S. 18° N.	20 "
14	S. 12° N.	32 "
15	S. 8° E.	8 "
16	S. 27° E.	10 "
17	S. 26° N.	18 "
18	S. 42° N.	34 "
19	S. 58° 30' E.	168 1/2 "
194 ac. 00. 19 fms		

James M. Thompson
 Surveyor of G. W. Co.
 July 12th 1865

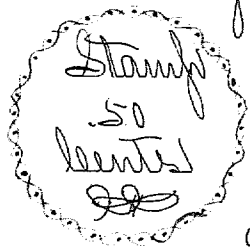
Wherefore the following order was passed to wit:
 In the Circuit Court for Queen Anne's County in Equity August 2^d 1865
 Ordered that the sale made and reported by John B. Parnum, Trustee for
 Sale of the Real Estate of Thomas B. Mumme, be ratified and confirmed
 unless cause to the contrary be shown on or before the tenth day of October next.
 Provided a copy of this order be inserted in some paper printed in Centerville,
 Queen Anne's County once in each of three successive weeks before the 2^d day of
 September next.
 Report states amount of Sale to be \$8,835.21
 Saml. C. Doyott clk

And therefore further process of and upon the premises aforesaid is further continued until the first Monday of November next at which said first Monday of November in the year eighteen hundred and sixty five comes into court here the said Clayton Wright and John S. Comtable by Madrim Porron and John P. Porron Esquires their Solicitors and therefore the court passed the following Order to wit:

Ordered this 16th day of November eighteen hundred and sixty five by the Circuit Court for Queen Anne's County in Equity and by the authority thereof that the sale within reported be and the same is hereby finally ratified and confirmed: no cause to the contrary thereof having been shown although notice appears to have been given in pursuance of conditional Order heretofore passed herein.

Jm. M. Robinson.

And therefore further process of and upon the premises is further continued from term to term of said court until the fourth Monday of July next on which said fourth Monday of July in the year eighteen hundred and sixty six comes into court as well the said Clayton Wright and John S. Comtable by Madrim Porron and John P. Porron Esquires, and the said Priscilla Spencer by Lloyd Talghman Esquire her Solicitor aforesaid. And therefore the following Exhibit is filed to wit:




Whereas at a Sale of the Real Estate of Thomas W. Mummey, late of Queen Anne's County in the State of Maryland, John R. Emory of said County and State became the purchaser thereof: and whereas by virtue of the consent and agreement of Martha L. Mummey of the City of Philadelphia said real estate was sold to the said John R. Emory free lease and discharged of all right title interest and estate of dower of the said Martha L. Mummey on account of or to arise out of her coverture with the said Thomas W. Mummey, contingent, present or otherwise: and whereas it is now desired that the said Martha L. Mummey, shall confirm and ratify her aforesaid consent and agreement and the sale as aforesaid made in consequence thereof, Now this Deed made this seventh day of June in the year eighteen hundred and sixty six by the said Martha L. Mummey witnesses that in consideration of the facts set forth in the foregoing premises and to confirm and ratify the aforesaid consent and agreement and the sale made as aforesaid in consequence thereof, the said Martha L. Mummey doth give, grant, convey and release unto the said John R. Emory all her right, title, interest and estate of dower, on account of, or to arise out of her coverture with the said Thomas W. Mummey, contingent, present, or otherwise, in and the aforesaid Real estate being all that Land called "Readrone Rectified" situate on Chester River in Queen Anne's County, aforesaid and particularly described in a deed of conveyance thereof from Edward Connegys to Thomas W. Mummey bearing date the thirtieth day of October in the year eighteen hundred and forty one and recorded in Liber J. T. No. 2, folios 447 & 448 one of the Land Record Books for Queen Anne's County aforesaid,

As Witness her hand and seal

Test:

J. P. Montgomery }
Thomas W. Mummey }

Martha L. Mummey 

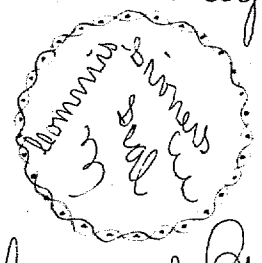
Rec^d of John B. Brown, Trustee for Sale of Real Estate of Thomas B. Mummery Esq. the sum of one Hundred Dollars as the additional consideration for the Deed
 7 June 1866.
 J. P. Montgomery
 Thos. B. Mummery



Martha L. Mummery

State of Pennsylvania
 City of Philadelphia, to wit:

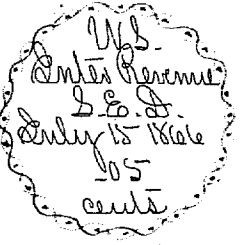
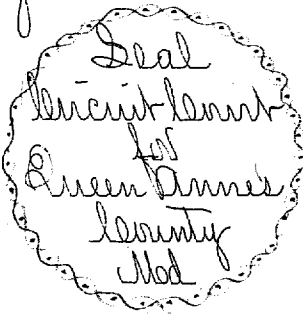
I hereby certify that on this seventh day of June Anno Domini eighteen hundred and sixty six, before me the subscriber, John P. Montgomery, a Commissioner of the State of Maryland, residing in the said City of Philadelphia, to take the acknowledgement of Deeds etc in the said State of Pennsylvania, personally appeared the said Martha L. Mummery, and acknowledged the foregoing Deed to be her act.



In testimony whereof I have hereto subscribed my name and affixed my official seal this 7th day of June A. D. 1866.
 J. P. Montgomery
 Comm^r for Maryland

State of Maryland, Queen Anne's County to wit:

I hereby certify that the foregoing Deed is truly copied from Liber S. E. Dyott No. 2, folio 336, one of the Land record books for Queen Anne's County.



In testimony whereof I hereto subscribe my name and affix the seal of the Circuit Court for Queen Anne's County on this 13th day of July 1866.

Samuel E. Dyott clk

And therefore P. B. Hooper require the Auditor file in Court here his Report in the words following to wit:

Elayton Knight & J. S. Constable }
 vs }
 Gwinilda Spencer + J. B. Mummery }
 In the Circuit Court for Q. A. Co. sitting as a Court of Equity.

To the Hon. J. M. Robinson Judge.

The Auditor respectfully reports that he has examined the proceedings in this cause and has therefrom prepared the following acct between the Real estate mentioned in the proceedings and John B. Brown Esq. Trustee for the sale thereof, in which he has allowed to the trustee his commission and expenses, to the complainants and defendants each their costs of suit, and the balance \$8078.53 to the claim of Gwinilda Spencer assignee of Robert Spencer and in part thereof, which said claim was the foundation of the decree in this cause, being the one secured by the Mortgage, a copy of which is filed among the proceedings in the cause.

P. B. Hooper: Auditor
 July 20th 1866.

The Real Estate of Thomas W. Munnery in acct with John B. Brown Trustee for the sale thereof. Jv

1865				
July 18 th	To the Trustee for his commission		398	40
	To the Trustee for his expenses		119	65
	To the Trustee for an extra allowance by order of court, to remove a cloud upon the title to the land & expenses incurred with reference thereto and sum paid for contingent right of dower.		168	25
	To the complainants for their costs of suit viz:			
	Solicitor	20	00	
	S. E. Dyott clerk	33	48	
	Same for Exhibits	2	40	55 88
	To the Defendants for their costs of suit viz:			
	Solicitor			10 00
	To the Auditor for his fee			4 50
	To Lavinia Spencer a proxy of Robert Spencer for her claim mentioned in Bill of Complaint, and secured by Mortgage, and in part thereof	17338	60	756 68
			8078	53
			8835	21

lv:

lv:

1865				
July 18 th	By amount of proceeds of real estate as per Trustee report of same returned and on file		8835	21
			8835	21

J. B. Zopher
Auditor
July 21st 1866.

And afterwards on the thirty first day of July in the year eighteen hundred and sixty six, the court passed the following order to wit:

In the Circuit Court for Queen Anne's County in Equity July Term 1866.

Ordered this thirty first day of July in the year 1866. That the within and foregoing report of the Auditor be and the same is hereby ratified and confirmed and the Trustee be directed to apply proceeds accordingly as same shall be collected, retaining thereout the sum of \$68.30 and interest thereon from 17 July 1866, until received by him the amount of a tax bill charged on the Real Estate sold, paid by said Trustee and omitted by the Auditor in stating the within audit.

Jno. M. Robinson

James Monllikin and Sarah J. Monllikin administrators of John Monllikin

Be it remembered that on the 2^d day of June in the year eighteen hundred and sixty six, James Monllikin and Sarah J. Monllikin administrators

of John Monllikin by Thomas J. Keating Esq. Their attorney file in court here their petition to the said Court in the words following, to wit:

In the Matter of the petition for the division of } In the Circuit Court for
the Real Estate of George B. Baxter } Queen Anne's County,


The petition of James Monllikin and Sarah J. Monllikin administrators of John Monllikin deceased and ex officio guardians to Annie Monllikin, John F. Monllikin, Thomas M. Monllikin, James W. Monllikin, Catharine Monllikin George C. Monllikin and Sarah C. Monllikin children and heirs at Law of the said John Monllikin respectively sheweth that at the sale of the real estate of George B. Baxter made by the commissioners appointed by this Honorable Court to divide the same, the Edwin L. Boardcastle became the purchaser of a parcel of land called "Suffolk" in the proceedings in the above cause mentioned containing in the whole two hundred and seventy eight acres three rods and thirty one perches of land a plat and certificate endorsed No. 2. whereof is filed in said cause as will appear by reference to the report of said Sale that subsequently to wit, on the twenty fourth day of December eighteen hundred and fifty seven the said Edwin L. Boardcastle assigned and transferred to the said John Monllikin for a valuable consideration all the equitable estate, right title and claim of him the said Edwin L. Boardcastle to so much of said real estate as is contained within the metes and bounds courses and distances set forth in a contract of Sale between the said Edwin L. Boardcastle and the said John Monllikin duly executed and recorded in Liber J. P. No. 3. folios 410 + 411 one of the Land Records of Queen Anne's County and herewith filed and prayed to be taken as part of this petition, that subsequently to wit: on the * * * * * day of * * * * * the said John Monllikin departed this life intestate leaving Annie Monllikin, John F. Monllikin Thomas M. Monllikin, James W. Monllikin, Catharine Monllikin, George C. Monllikin and Sarah C. Monllikin his only children and heirs at law and Sarah J. Monllikin his widow surviving him - that the terms of the said Sale and the purchase money have been fully paid and satisfied, in part by the said John Monllikin in his life time and in part by the administrators of the said John Monllikin since his death as will appear by papers marked Exhibit "L" herewith filed and prayed to be taken as part of this petition, but that no deed hath ever been executed by the said commissioners for the premises so purchased by the said Edwin L. Boardcastle and assigned and transferred to the said John Monllikin as above set forth whereupon your Orators pray that this Honorable Court will pass an order appointing and directing William Maloy one of said commissioners to execute and deliver a good and sufficient deed of said premises to the said Annie Monllikin, John F. Monllikin, Thomas M. Monllikin, James W. Monllikin, Catharine Monllikin, George C. Monllikin and Sarah J. Monllikin therein according to the provisions of the act of assembly in such case made & provided. And as in duty bound &c.

Thomas J. Keating
Solic. for Petitioners

The Contract referred to in the foregoing Petition is in the words following to wit:

In the matter of the Petition of Sym: Gb. } In the Circuit Court for
Powen Alienee of Joseph B. Baxter to } Queen Anne's County,
divide the Real Estate of George B. Baxter }

Know all men by these presents that I Edwin L. Boardcastle of Queen Anne's County Maryland having become the purchaser of a parcel of land called Suffolk in the proceedings in the above cause mentioned containing in the whole two Hundred seventy eight acres, three Roods and thirty one perches, a plat and certificate endorsed No 2, whereof is filed in said cause do hereby for a valuable Consideration transfer and assign to John Morlikin All my Equitable Estate, right, title and claim to so much of said Real Estate as is contained within the metes and bounds, courses and distances following to wit: Beginning at the end of Forty five perches and a fourth of a perch on the first line of the aforesaid Plat and Certificate endorsed No 2, and running thence with said line South sixty nine degrees West two hundred and thirteen perches and three fourths of a perch to the end of said line, thence North twenty eight degrees thirty minutes West thirty nine perches and four tenths of a perch to the end of the second line of the aforesaid Plat and certificate, thence with the third line thereof North Twenty degrees West forty five perches and one fourth of a perch to a lot heretofore sold by the said E. L. Boardcastle to one Faulkner, thence, North fifteen degrees East fifty seven perches to intersect the fourth line of the aforesaid Plat and certificate No. 2, at the end of thirty three perches and one fourth of a perch, thence with said fourth line North eighty five degrees thirty minutes East fifty seven perches and one fourth of a perch, thence with the fifth line thereof its whole length North twenty eight degrees East forty six perches, thence with the sixth line North sixty seven degrees East one Hundred and sixty one perches and thence South three degrees West one hundred and sixty two perches to the aforesaid Beginning containing Two Hundred and five acres two roods and twenty seven perches of land more or less. The condition on which the above mentioned assignment and transfer by the said Edwin L. Boardcastle is made to the said John Morlikin is that the said John Morlikin, his heirs Executors or administrators shall pay to the Infant Heirs of the said George B. Baxter to wit: Georgeanna Baxter, Hezekiah Baxter and Martha Louisa Baxter the several principal sums secured to be paid to them by the Bond of the said Edwin L. Boardcastle at the times in said Bond mentioned together with the interest on said principal sums that shall accrue from and after the first day of January Eighteen Hundred and fifty eight to each person or persons as may be legally entitled thereto, the said Edwin L. Boardcastle in consideration that he is to receive the profits of the land hereby assigned and transferred until the said first day of January Eighteen Hundred and sixty eight undertakes to pay all the interest to said time, on the aforesaid principal sums and upon the payment as aforesaid by the said John Morlikin, the said Circuit Court is requested to order a deed for the land hereby assigned and transferred to be executed to the said John Morlikin his heirs and assigns according to law.

As witness my hand and seal this twenty fourth day of December
Eighteen Hundred and fifty seven.
Edw. L. Boardcastle 
Test: Robt. B. Baynard.

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this 24th day of December 1857, before the subscribed a Justice of the Peace of the state of Maryland in and for Queen Anne's County personally appeared Edwin L. Boardcastle and acknowledged the foregoing contract to be his act:

Acknowledged before.

Robt. G. Raymond J.P.

And on the back of the foregoing was thus endorsed to wit:

Received Dec. 26th 1857. and recorded in Liber J. P. No. 3. folios 410 + 411. one of the land records of Queen Anne's County.

P. Madrim Brown, clerk of Queen Anne's County Circuit Court.

The Exhibit "L" referred to in the foregoing petition is in the words following to wit:

In the Matter of the petition for the division of the Real Estate of George Baxter dec'd

In the Circuit Court for Queen Anne's County.

The undersigned, Rebecca Bowen wife of William H. Bowen and the undersigned William H. Bowen and the undersigned, Philemon J. Staw and Georgie W. Staw his wife formerly Georgie W. Baxter and the undersigned Bezekiah Baxter and the undersigned William J. Roberts and Martha L. Roberts his wife formerly Martha L. Baxter hereby acknowledge and certify that the bond of Edwin L. Boardcastle filed in the proceedings in the cause and the money secured by said bond to the said Rebecca Bowen, William H. Bowen, Georgie W. Baxter, Bezekiah Baxter and Martha L. Baxter respectively and the interest thereon have been fully paid and satisfied and that said bond and the money secured thereby were paid in part by John Moullickin in his life time and in part by the administrators of the said John Moullickin since his death in pursuance of a contract between the said Edwin L. Boardcastle and the said John Moullickin duly executed and recorded in Liber J. P. No. 3. folios 410 + 411, one of the Land Records of Queen Anne's County. And the undersigned hereby further certify their consent, to the passage of an order authorizing and directing a conveyance of that part of the real estate of the late George B. Baxter, called "Suffolk" designated in the return and plat of said real estate as Lot No. 2, in the proceedings in the cause, by good and sufficient deed to be executed to the heirs of the said John Moullickin deceased according to the provisions of the Code of Public General Laws in such case made and provided.

And witness whereof we the undersigned have hereunto set our hands and affixed our seals this x x x x x day of x x x x x eighteen hundred and sixty six

Rebecca Bowen Seal W. H. Bowen Seal
Philemon J. Staw Seal Georgie W. Staw Seal
Bezekiah J. Baxter Seal
W. J. Roberts Seal Martha L. Roberts Seal

Edward Bryan, Thomas A. Bryan
& George L. Bryan

Be it remembered that on the seventh
day of June in the year eighteen hun-
dred and sixty six, Edward Bryan,

Thomas A. Bryan, & George L. Bryan by Philemon B. Hopper Esq. their att-
orney files in the Circuit Court for Queen Anne's County their petition in the
manner and form following to wit:

To The Honorable J. M. Robinson Judge of the Circuit Court for Queen Anne's
County,

The Petition of Edward Bryan, Thomas Alfred Bryan and George L. Bryan
respectfully requests, that under the petition filed in Queen Anne's County
Court on the twelfth day of December in the year eighteen hundred and forty
eight by William S. Bryan John L. Bryan, Charles J. Bryan and Edward
Bryan to value and divide the real estate of Valentine Bryan deceased, among
other things had and done, the said Edward Bryan elected to take all that por-
tion of said deceased's real estate called "Russell Dale" described in the com-
missioners return made in said Court, as "Lot No. 1." and "Lot No. 2," Lot No. 1, con-
taining in the whole three hundred and fifty seven acres, three rods and 3,
perches of land valued at Eight thousand and fifty one dollars and twenty
cents, and Lot No. 2, containing three hundred and ninety four acres one
rod and six perches of land valued at Twelve thousand four hundred and twenty
Dollars and six cents, that since his election he the said Edward has sold and
conveyed to the said Thomas Alfred Bryan Two hundred and eleven acres one
rod and sixteen perches, a part of the lands so elected to be taken by him as
aforesaid, and to the said George L. Bryan one hundred and twelve acres
three rods and thirty seven perches of land another part of the lands so ta-
ken by him by election, that all the other heirs at law of the said Valen-
tine Bryan have been fully paid their respective proportions of the afore-
said valuation of "Russell Dale", secured to them by the bond of the said
Edward Bryan.

This petition further makes known to your Honor that Arthur Bryan in his
life time among other things had and done under the aforesaid petition, elected
to take that portion of said deceased's real estate designated in the com-
missioners return made to said Court as "Lot No. 5," it being a part of Bodley's
Island marked on the plat of said Island returned by the Commissioners
with their said report as "No. 5, consisting of two parcels of land one contain-
ing Two hundred and fifty one acres and nineteen perches of land valued
at Five thousand and forty four Dollars and seventy five cents and the other
being a woodlot containing forty six acres, three rods and twelve per-
ches of land valued at Eleven hundred and seventy Dollars and sixty
two cents, It further makes known to your Honor that after said election
the said Arthur Bryan sold and conveyed to the said Edward Bryan the
said tracts of land so constituting as aforesaid "Lot No. 5," as appears by
the Deed of the said Arthur to the said Edward now of record in the clerks
office of Queen Anne's County, and further that all the other heirs at law of
the said Valentine Bryan have been fully paid their proportionate parts
of the valuation of said Lot No. 5 as secured to them by the bond of the said
Arthur Bryan now of record among the proceedings in the aforesaid cause.

Your petitioners therefore pray, that your Honor issue an order directing
one of the surviving commissioners under the said petition, (The survivor's
being Thomas Todd and Dr. Thomas H. Wilson) to execute to your petitioners

357 93 R 3 P
394 91 R 6 P
751 49

Edward Bryan such portions of the said tract or tracts of land called "Russell Dale" comprising Lot No. 1. & Lot No. 2, as aforesaid, all have not been sold to the said Thomas Alfred Bryan and the said George S. Bryan, and to execute to the said Thomas Alfred Bryan and George S. Bryan deeds for their respective proportions of said tract called "Russell Dale" as have been sold to them by the said Edward Bryan, the quantity of said portions having been before set forth in this petition.

They also pray that an order may be passed authorizing and directing one of the said Commissioners to make and execute a deed to the said Edward Bryan of Lot No. 5, aforesaid elected to be taken by Arthur Bryan, who in his lifetime conveyed the same to the said Edward as herein before set forth.

And as in duty bound &c

P. B. Hooper for
Petitioners

And therefore the Court passed the following order to wit:

The foregoing petition being read and duly considered, and I, John M. Robinson Judge of the Circuit Court for Queen Anne's County, being satisfied by the production of receipts and other evidences, that the heirs of the late Valentine Bryan have been fully paid their several and respective proportions of the valuations of Lot No. 1, Lot No. 2, & Lot No. 5, as described in the report of the Commissioners appointed by Queen Anne's County Court to value and divide the real estate of Valentine Bryan deceased, as secured to them by the bond of Edward Bryan and Arthur Bryan, who elected to take said portions, do order and direct on this 16th day of March in the year Eighteen Hundred and sixty six, that Thomas Godd one of the said surviving Commissioners make and execute to Edward Bryan and at his expense a deed of all that portion of Valentine Bryan's (deceased) real estate which is designated in the Commissioners report as Lot No. 5 he being the assignee of Arthur Bryan who elected to take the same, also to convey to same Lot No. 1. and Lot No. 2, as designated in said Commissioners report being other portions of said deceased's real estate, they having been elected by him under the petition to divide the same, excepting such portions as the said Edward Bryan has sold to Thomas Alfred Bryan and George S. Bryan, and that the said Commissioners convey to the said Thomas Alfred Bryan Two hundred and eleven acres one rood and sixteen perches of land being parts of Lot No. 1. & Lot No. 2, sold to the said Thomas Alfred Bryan by the said Edward Bryan and which are described in a deed from the said Edward to the said Thomas Alfred; and further that the said Commissioners execute to George S. Bryan a deed for one hundred and Twelve acres three roods and thirty seven perches of land being the portions of Lot No. 1. & Lot No. 2, called "Russell Dale" and which is particularly described in a plat and certificate thereof made by Jas. B. Thompson Surveyor of Q. A. County on the sixteenth day of January Eighteen Hundred and sixty.

Jno. M. Robinson

Be it remembered that on this twenty first day
 Thomas Alfred Bryan } June in the year eighteen Hundred and
 on P. Hoopes Esq. his Solicitor files in the Circuit Court for Queen Anne's
 County, his petition in the manner and form following to wit:

To The Hon. J. M. Robinson Judge of the Circuit Court for Queen
 Anne's County.

The petition of Thomas Alfred Bryan respectfully represents that under
 the petition filed in Queen Anne's County Court on the twelfth day of Dec-
 ember in the year eighteen Hundred and forty eight by William D.
 Bryan, John L. Bryan, Charles S. Bryan and Edward Bryan to
 value and divide the real estate of Valentine Bryan deceased, among
 other things had and done, the said Thomas Alfred elected to take all
 that portion of said deceased's real estate being parts of Bordley's
 Island described in the commissioners return made in said cause
 as Lot No. 4, consisting of parts of Bordley's Island marked on the
 plat thereof returned with the said commissioners report and now
 of record in the Clerk's Office of Queen Anne's County as No. 1. it being in
 two parcels one of which containing one hundred and sixty eight acres,
 three rods and twelve perches of land, the commissioners valued at forty
 dollars per acre making six thousand seven hundred and fifty three
 Dollars the other of which containing forty six acres three rods and twenty
 perches of land the same being a detached woodlot the commissioners
 valued at twenty five dollars per acre making eleven Hundred and
 Seventy two dollars and nineteen cents, and that he also elected to take a
 part of Lot No. 8, as designated in said commissioners report it being
 that part thereof described as an undivided interest in fee amounting
 to four fifths of the whole in a Lot at Queenstown with a storehouse thereon
 described as No. 2, on the plat thereof also returned by said commissioners
 with their report and containing twenty square perches of land which
 the said commissioners valued, subject to the widow's dower therein,
 at Two hundred and Eighty Eight Dollars, That your petitioner gave
 his bond to the state of Maryland conditioned for the payment by him
 to the other heirs at law of the said Valentine Bryan of their several and
 respective proportions of the aforesaid valuations, which is now of record
 in the Clerk's Office of Queen Anne's County among the proceedings had
 under the aforesaid petition of William D. Bryan and others.

Your petitioner further makes known to your honors that he has fully
 paid and satisfied to all parties entitled the sums respectively secured
 to them by the condition of the aforesaid bond. He therefore prays your
 Honors to pass an order directing one of the surviving commissioners
 under the said petition, (the survivors being Thomas Dodd and Dr.
 Thomas G. Wilson) to execute to your petitioner at his expense a
 deed conveying to him the aforesaid Lot No. 4, as designated in said
 commissioners report, and also that part of Lot No. 8. herein before desc-
 ribed as an undivided four fifths interest in a Lot in Queenstown with
 a store house thereon.

And as in duty bound he will ever pray &
 P. B. Hoopes Solic.
 for Petitioner

And therefore the Court passed the following order to wit:

The foregoing petition being read and duly considered,

The foregoing petition being read and duly considered, and J. John M. Robinson Judge of the Circuit Court for Queen Anne's County being satisfied by the production of receipts and other evidences, that the heirs at law of the late Valentine Bryan have been fully paid their several and respective portions of the valuation of lot No. 4. and of that part of Lot No. 8. described in the foregoing petition, and as the same are described in the report of the Commissioners appointed by Queen Anne's County Court to value and divide the real estate of the said Valentine Bryan as secured to them by the bond of Thomas Alfred Bryan and Emetie, do order and direct on this 21st day of June in the year Eighteen Hundred and sixty six that Thomas Dodd one of the aforesaid surviving Commissioners on Valentine Bryan's real estate make and execute to the said Thomas Alfred Bryan and at his expense a deed of all that portion of said deceased's real estate which is designated in the report of said Commissioners as Lot No. 4. and also of that portion of Lot No. 8. likewise designated in said Commissioners Report as an undivided interest in a Lot of ground in Queenstown B. A. County being four fifths of the whole on which a store House is erected marked as No. 8. and containing according to the plat thereof twenty square perches of land.

Jno. M. Robinson

Joseph E. George

Be it remembered that on this sixth day of May in the year eighteen hundred and sixty five, Joseph E. George assignee of a certain Mortgage from Lewis W. Neal & wife to John M. Robinson files in the Circuit Court for Queen Anne's County his report of sale of the lands therein named in the manner & form following to wit:

MS
Entered Pursuant
to L.O. No. 1165
May 6: 1865
50
cents

To the Honorable John M. Robinson Judge of the Circuit Court for Queen Anne's County.

The report of Joseph E. George assignee of a certain Mortgage from Lewis W. Neal and wife to John M. Robinson bearing date on the 20th day of December 1861 and duly executed and recorded in Liber No. 2, folios 23 and 24 one of the land record books of Queen Anne's County respectfully shews that in pursuance and by virtue of the terms, provisions and conditions contained in the said Mortgage and after default had been made in payment of the principal of the said Mortgage and interest thereon from the first day of January eighteen hundred and sixty four, he the said Joseph E. George, after giving bond to the State of Maryland as required by law, with security, and giving more than twenty days notice of the time, place, manner and terms of sale by weekly advertisements until the day of sale in the "Observer" a newspaper published at Centerville in Queen Anne's County aforesaid, and by handbills extensively circulated throughout Queen Anne's County did pursuant to said notice attend at Sudlersville in Queen Anne's County aforesaid between the hours of one and three o'clock P.M. and then and there proceeded to sell the interest of the said Lewis W. Neal and wife in & to a part of the real estate mentioned in the aforesaid deed of Mortgage as follows to wit:

He first offered at public sale to the highest bidder all the right title and interest of the said Lewis W. Neal and Henrietta M. C. Neal his wife, being an undivided half, in and to all those tracts or parcels of land called "Philadelphia" "Slaughtertown" and "Laws Desire" or by whatsoever name or names called, situate in the first election district in Queen Anne's County aforesaid on the main road leading from Church Hill to Sudlersville adjoining the lands of John W. C. Sudler and Daniel C. Palmer and wife and now constituting the farm in the possession of Joseph Willson as tenant containing by estimation three hundred and eleven acres more or less: and sold the same to Matthias Lynghe he being then and there the highest bidder thereof at and for the sum of four thousand dollars in cash which he the said Joseph E. George has received from the said purchaser.

The said Joseph E. George further reports that the said proceeds of sale amounting to four thousand dollars being more than sufficient to pay and satisfy the amount due on the aforesaid Mortgage including interest and cost he did not proceed to sell the interest of the said L. W. Neal and wife in the other lands embraced in the said Mortgage.

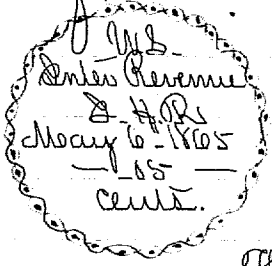
All of which is respectfully submitted

Joseph E. George

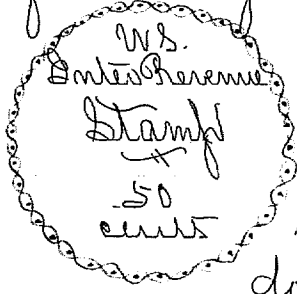
State of Maryland, Queen Anne's County to wit:

On this sixth day of May in the year eighteen hundred and sixty five before the undersigned a Justice of the Peace of the State of Maryland in and for Queen Anne's County of aforesaid personally appeared Joseph E. George and affirmed that the matters and things stated in the foregoing report are true, to the best of his knowledge and belief and that the sale therein reported were fairly made

Jno. G. Rowleson



The Bond referred to in the foregoing Report was in the words following to wit:



Know all men by these presents that we Joseph E. George Matthias George and John B. E. Suddler of Queen Anne's County in the State of Maryland, are held and firmly bound unto the State of Maryland in the full and just sum of Ten Thousand dollars current money to be paid to the said State of Maryland or its certain attorney: to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs executors, and administrators jointly and severally, firmly by these presents, sealed with our seals and dated this fifteenth day of April in the year eighteen hundred and sixty five, Whereas the above named Joseph E. George has become the assignee of a certain Mortgage from Lewis W. Neal and Henrietta M. E. Neal his wife to John M. Robinson which bears date on the twentieth day of December in the year eighteen hundred and sixty one and is duly recorded in Liber M. R. No. 2 folios 23 and 24 one of the land Record books of Queen Anne's County aforesaid; and the said George is about to make sale of the mortgaged premises described in the said deed for default in payment of the principal and interest now due on the said mortgage: Now the condition of the above obligation is such that if the above bound Joseph E. George do and shall abide by and fulfill any order or decree which shall be made by any court of equity in relation to the sale of the said mortgaged premises or the proceeds thereof then the above obligation to be void, otherwise to remain in full force and virtue in Law.

Signed, sealed and delivered }
in the presence of }
Test: Wm. A. Brantick }

Joseph E. George Seal
Matthias George Seal
John B. E. Suddler Seal

On the back of the foregoing was thus endorsed to wit:

The foregoing Bond approved & filed April 18th 1865.

Samuel C. Dryott, clk.

And thereupon the court passed the following Order, to wit:

In the Circuit Court for }
Queen Anne's County, sitting in Equity } May Term 1865,

Ordered this 6th day of May 1865 that the sale made and reported by Joseph E. George assignee under and by virtue of a Mortgage from Lewis W. Neal and wife to John M. Robinson duly executed and recorded be ratified and confirmed unless cause to the contrary thereof be shown on or before the 25th day of July next; provided a copy of this order be inserted in some newspaper printed in Queen Anne's County

once in each of three successive weeks before the 15th of June next.
The Report states the amount of Sale to be \$ 4000. 00
Jno. M. Robinson.

And thereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of July next, on which said fourth Monday of July in the year eighteen hundred and sixty five, comes into Court here Joseph C. George by Lloyd Selghman Esq. his Solicitor and thereupon the Court passed the following order to wit:

On the Circuit Court for Queen Anne's County
Sitting in Equity August 22^d 1865,

Ordered that the sale referred to in the within and aforesaid order be and the same is hereby finally ratified and confirmed no cause to the contrary thereof having been shown, although notice appears to have been given as directed by the within order. J. M. Robinson

And thereupon further process of and upon the premises aforesaid is further continued until the first Monday of November next, on which said first Monday of November in the year eighteen hundred and sixty five, comes into Court here Joseph C. George by Lloyd Selghman Esq. his Solicitor as aforesaid and thereupon the following affidavit was filed to wit:

State of Maryland Queen Anne's County, to wit:

On this third day of December in the year of our Lord Eighteen hundred and sixty five, before me the subscribed, a Justice of the Peace of the State of Maryland, in and for said County personally appeared Louis N. Neal and being sworn on the holy Evangelly of Almighty God, said that his age, according to the record thereof that had been exhibited to him, was forty one years and about seven months on the day of the sale of certain Real Estate belonging to his wife & him, which was sold on the 29th day of April 1865 at public Sale in Sudlersville, Md, under or by virtue of the terms and conditions contained in a deed of Mortgage from Louis N. Neal and Henrietta M. C. Neal, his wife, to John M. Robinson, dated on the 20th day of December 1861. & that he was, at the same time, in good health and he also declared that the Mortgage debt for which the said property was sold, was entirely his own, the said debt having been created by the purchase of thirty five shares of stock of the Union Bank of Maryland and which stock was appropriated to & for his own use & benefit.

Sworn before J. W. Handy J.P. Seal

Witness my hand & seal this 3^d day of December 1865.
Witness my hand & seal this 3^d day of December 1865.
Witness my hand & seal this 3^d day of December 1865.

And thereupon Philemon B. Hooper Esq, Auditor of this Court files in Court here the following Report, to wit:
To The Hon. J. M. Robinson Judge of the Circuit Court for Queen Anne's County sitting as a Court of Equity.

The Auditor respectfully reports that he has examined the papers filed in connection with the sale of the real estate of L. N. Neal & H. M. C.

Neal his wife made by ~~Joseph~~ Jos. W. George assignee of John M. Robinson, who held a Mortgage upon the same with power to sell in default &c, and has therefrom made the following account between the real estate aforesaid and the said Joseph W. George. The Auditor charged the said Joseph W. George with the amount of Sales as reported, and allowed to him his expenses in making ^{sale}, the costs of this proceeding including a Solicitors fee, & his principal on Mortgage as assignee with interest to day of Sale. He allowed to the Auditor his fee for stating this account, and the balance of purchase money, he assigned to H. M. E. George wife of S. W. Neal, who was the owner in fee of the said real estate, An affidavit was filed with the auditor by S. W. Neal, which he returns herewith showing his age & health at the time of Sale, and the fact that the Mortgage debt was his individual debt and no part his wife's - supposing that S. W. Neal is entitled to a curtesy right in the lands sold, upon calculation by the Chancellor's Scale it will be found, that its money equivalent would not reach the sum due on the Mortgage, and the Auditor has therefore assigned the residue as before stated to H. M. E. George the owner of the fee.

P. P. Hooper, Auditor,
Nov. 4th 1865.

The Real Estate of S. W. Neal & H. M. E. Neal his wife in acct with Joseph W. George assignee of John M. Robinson Mortgage.

To Jos W. George assignee for costs + expenses viz:			
Solicitors fee	20	00	
S. E. Dryotts fees now due	7	00	
Same further proble costs	10	00	
Cost of advertising Sale &c	23	75	
for cash paid government tax on sale	10	00	
" paid brief	12	00	
" paid for Stamps	1	05	80 80
To the Auditor for his fee			4 50
To Joseph W. George assignee for his principal & interest on Mortgage and interest to day of Sale			2918 79
To Henrietta M. E. Neal wife of S. W. Neal the residue of purchase money.			995 91
			<u>4000 00</u>

Pay amount of proceeds of Sale as per report of S. W. Neal & H. M. E. Neal his wife due by Joseph W. George assignee,			4000 00
			<u>4000 00</u>

P. P. Hooper Auditor
Nov. 4th 1865

And afterwards on the thirtieth day of January in the year eighteen hundred and sixty six, the court passed the following order to wit:

In the Circuit Court for Queen Anne's County.

January 30th 1866.

Ordered that the foregoing report of the Auditor be and the same is hereby ratified and confirmed and Joseph C. George is directed to apply the proceeds accordingly.

Jno. M. Robinson

James D. Loller, Samuel Loller,
John Loller, Wm. F. Loller
Arthur P. Solloway and
Mary his wife formerly Mary
Loller, and Samuel G. Halle,
& Temperance Ann his wife
formerly Temperance Ann Loller,

vs

Daniel S. Loller

Be it remembered that heretofore to wit: on the twenty second day of April in the year eighteen hundred and sixty four, James D. Loller, Samuel Loller, John Loller, William F. Loller, Arthur P. Solloway and Mary his wife formerly Mary Loller, and Samuel G. Halle and Temperance Ann, his wife formerly Temperance Ann Loller, by John M. Robinson Esq. their

Solicitors files in the Circuit Court here their bill of complaint against Daniel S. Loller, in the manner and form following to wit:

To the Hon. James B. Ricard Judge of the Circuit Court of Queen Anne's County In Equity,

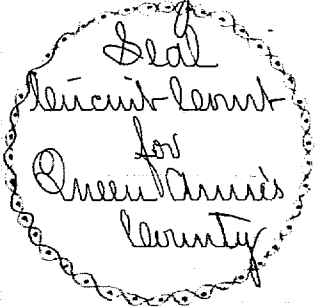
The bill of complaint of James D. Loller, Samuel Loller, John Loller, William F. Loller, Arthur Solloway and Mary his wife, formerly Mary Loller & Samuel G. Halle and Temperance Ann, his wife formerly Temperance Ann Loller, of Queen Anne's County, humbly shews: That your complainants and Daniel S. Loller of said County are seized as tenants in common in fee of an undivided one seventh part each of a tract or parcel of land in said County called Joseph's Lot, and containing about one hundred and ninety acres more or less, And your complainants charge that it will be for the interest and advantage both of the said Daniel S. Loller and your complainants to sell the aforesaid tract or parcel of land and to divide the proceeds thereof between the parties in the proportions before stated, But that the said Daniel S. Loller is an infant under the age of twenty years and your complainants are ^{therefore} advised that a sale thereof can not be had without the assistance of

this court. To the end that the said Daniel S. Loller may answer the premises and that a decree may be passed for a sale of the aforesaid Land and the proceeds of said sale be distributed between the said Daniel S. Loller and your complainants in the proportions hereinbefore stated, and that your complainants may have such further or other relief as their case may require, May it please your honor to grant unto your complainants the writ of Subpoena against the said Daniel S. Loller commanding him to appear in this court at some certain day to be therein named to answer the premises and abide by and perform such decree as may be passed therein.

As in duty &c

Jno. M. Robinson, Sol.
for complainant.

Whereupon Subpoena was issued in the form following to wit:
Maryland, &c: The State of Maryland to Daniel S. Loller of Queen Anne's County, Greeting: You are hereby commanded, that all excuses set apart, you, personally appear before the Circuit Court for Queen Anne's County, sitting at a Court of Equity, at Centerville, in said County, on the first Monday of May next, to answer unto the complaint of James D. Loller and others, against you in the said Court exhibited, Hereof fail not, as you will answer the contrary at your peril.



Witness the Honorable James R. Ricard, Judge of the said Court, the twenty second day of April eighteen hundred and sixty four.

Samuel E. Dyott, Clerk,

Whereupon further process of and upon the premises aforesaid, is further continued until the first Monday of May next, at which said first Monday of May in the year eighteen hundred and sixty four, comes into Court here as well the said James D. Loller, Samuel Loller, John Loller, William F. Loller, Arthur P. Solloway and Mary his wife, and Samuel G. Stalls and Temperance Ann his wife, by their Solicitor aforesaid, as the said Daniel S. Loller, who being minor the Court appointed John B. E. Sudler, Guardian to answer and defend for him, whereupon the said John B. E. Sudler, by Madison Brown and John R. Brown Esquires his Solicitors files in Court here his answer to the foregoing bill of complaint in the manner and words following to wit:

James D. Loller }
+ others }
vs }
Daniel S. Loller }

In the Circuit Court of Queen Anne's Co.
In Equity, May Term 1864.

The Answer of Daniel S. Loller an infant under the age of twenty one years by John B. E. Sudler his Guardian to the bill of complaint of James D. Loller, + others, against him in the Circuit Court of Queen Anne's County in Equity exhibited, This defendant can not admit any of the matters + things alleged in said bill & being an infant of tender years submits his rights to the protection of this Court.

John B. E. Sudler

On this 30th day of May in the year Eighteen Hundred and sixty four before the subscribed a Justice of the peace of the state of Maryland for Queen Anne's County personally appeared John N. E. Sudler and made oath that the matters & things stated in foregoing answer are true to the best of his knowledge & belief

A. P. Solloway J. P.

And afterwards, to wit: on the 31st day of May in the year Eighteen hundred and sixty four the following agreement was filed, to wit:

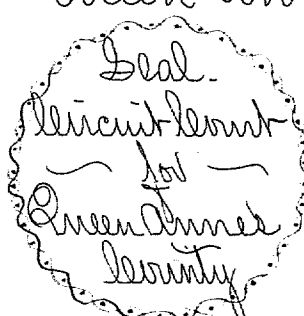
James S. Loller }
& others }
vs }
Daniel S. Loller }

In the Circuit Court of Queen Anne's County, in Equity

It is agreed that a commission shall issue in above cause to James Wothers Esq. to take testimony.

Jno. M. Robinson
Sol. for Complt.
M & J. P. Brown Solicitors
for Dfd.

Whereupon Commission was issued in the following form, to wit:



Queen Anne's County, to wit: The State of Maryland to James Wothers of Queen Anne's County, Greeting: Be it known that you are appointed Commissioner to examine evidence in a cause depending in the Circuit Court for Queen Anne's County, between James S. Loller, Samuel Loller, John Loller, William F. Loller, Arthur P. Solloway and Mary, his wife, and Samuel G. Walls and Temperance Ann, his wife, Complainants, and Daniel S. Loller, Respondent: You are therefore hereby required, having first taken the oath hereto annexed, and also administered the annexed oath to the person whom you shall appoint as clerk to attend the execution of the Commission; that at such time and place as to you shall seem convenient, you cause to come before you all such evidences as shall be named and produced to you by either the Complainants or Respondent, and that you examine them on their respective oaths to be by you administered upon the Holy Evangelists of Almighty God touching their knowledge or remembrance of any thing that may relate to the cause aforesaid, and that you cause notice to be given to the parties or their Solicitors of the execution of this Commission before you execute the same, and having reduced the depositions of the witnesses so taken by you into writing, you send the same with this Commission, closed under your hand and seal, to the said Circuit Court with all convenient speed: Witness the Honorable James B. Ricard, Judge of the said Court, the second day of May Eighteen hundred and sixty four.

Dated the 31st day of May 1864.

Samuel E. Dyott, Clerk,

Commissioner's Oath.

You James Wothers, shall, according to the best of your Skill and Knowledge, truly faithfully and without partiality to any or either of the parties in the cause, take the examinations and depositions, of all and every the witnesses produced and examined by virtue of the Commission hereto annexed, upon the interrogatories now, or which may here after

before the said commission is closed, be produced to and left with you, by either of the said parties, So help you God.

Sworn before

Jno. H. Rowleson

Clerks Oath,

You x x x x x x x Shall truly, faithfully and without partiality to any or either of the parties in this cause, take, write down and transcribe the depositions of all and every the witnesses produced before and examined by the commissioners named in the commission hereto annexed, as far forth as you are directed and employed by the said commissioners to take, write down and transcribe the said depositions, or any of them, So help you God.

And afterwards on the third day of June in the year aforesaid James Brootee Esq. The commissioners named in a foregoing commission makes return of the execution of said commission, in the manner following, to wit:

James D. Loller }
 + Others }
Daniel S. Loller } In the leicuit Court of Queen Anne's County: - -

Interrogatories propounded to Witnesses on the part of the complainants

- 1, Are you or not acquainted with the parties to this suit. If yes how long have you known them,
- 2, Were you or not acquainted with the late Daniel Loller. If so state when he died, and whether he left any children + their names,
- 3, Did the said Daniel Loller die seized of any real estate; If so in what did it consist + what is its value
- 4, Would it or not in your judgment be to the interest and advantage of the heirs of said Daniel Loller that the said real estate should be sold and the proceeds of sale distributed among the parties entitled. If yes state the reasons on which your judgment is founded.

Jno. M. Robinson
Sol. for Complt.

To the Honorable James B. Ricard, Judge of the leicuit Court for Queen Anne's County.

At the execution of the annexed commission issued out of the leicuit Court for Queen Anne's County, and to me directed, empowering me to examine evidences in the cause depending in the said Court between James D. Loller and others, complainants, and Daniel S. Loller, Respondent, I James Brootee, commissioners therein named, having taken the oath annexed to said commission, did at Centreville, on the thirty first day of May eighteen hundred and sixty four, the usual notice being waived, proceed to take the following depositions

James P. Dudley a witness of lawful age produced and examined on the part of the complainants, being duly sworn and examined to interrogatories filed with and returned by the commissioners, deposes + says, To the first Interrogatory. He is acquainted with them and has known them since they were children.

To the second Interrogatory. He was acquainted with Daniel Loller who

died early in 1863, leaving as his children the parties in this cause,
To the third Interrogatory, He died seized of a farm in Queen Anne's
County and its value is about one thousand dollars,

To the fourth Interrogatory, It would be to their interest to sell said land,
as it is poor, unproductive, would not divide profitably and the inter-
est of the purchase money would pay them better than the rent,

Geo. P. Dudley

George J. Burgess, a witness of lawful age produced and examined on
the part of the complainants, being duly sworn, deposes and says, that
he has heard the answers of James P. Dudley to the several Interrogato-
ries in this cause, and adopts the said answers as his own.

George J. Burgess.

There being no other witnesses to be examined, and neither party de-
siring further time for the production of evidence, the commissioners
closed the said commission and herewith returns the same under his
hand and seal, this 31. day of May 1864.

James Wooters 
Commissioner

Costs
Commissioner \$ 4.05 }
Witness 1.50 } \$ 5.55

Whereupon the Court passed the following Decree to wit:

James S. Loller & others }

Bill in Equity

vs.

Daniel S. Loller }

In Circuit Court of Queen Anne's
County.

This cause standing ready for hearing and being submitted
without argument, the proceedings were read and considered.
It is therefore this second day of June in the year of our Lord one thou-
sand eight hundred and sixty four by James P. Ricard Judge of the
Circuit Court of Queen Anne's County in Equity adjudged ordered and
decreed that the real estate in the proceedings be sold, That J. M. Robinson
of the town of Centerville, Queen Anne's County Maryland be, and he is
herby appointed Trustee to make such sale, and that the course and
manner of his proceeding shall be as follows. He shall first file a Bond
in the Clerk's Office of Queen Anne's County State of Maryland, executed by
himself with a surety or sureties to be approved by said Clerk in the pen-
alty of Two thousand 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 said
Real Estate, having first given at least three weeks previous notice in-
serted in some newspapers printed in Centerville Queen Anne's County
Maryland, and such other notice as he may think proper of the time,
place, manner & terms of Sale; The terms shall be as follows \$150.⁰⁰/₁₀₀
(one hundred and fifty dollars) back on the day of Sale, and the residue
of the purchase money in three equal instalments of six twelve, and
eighteen months with interest from the day of Sale, and the payment there-
of to be secured by the Bonds of the purchaser with a surety or sureties

to be approved by the Trustee. 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 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 said property, and to his, her or their heirs the property to him, her or them sold, free, clear & 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.

J. B. Ricard,

And therefore John M. Robinson, Esquire, the Trustee named in foregoing Decree files in Court here his bond in the words following to wit:

Ms. Enter Revenue & No. 9. July 9. 1864 150 cents

Know all men by these presents that we John M. Robinson and John B. Wilmer of Queen Anne's County in the State of Maryland are held and firmly bound unto the State of Maryland in the full and just sum of Three thousand dollars current money to be paid to the said State or its certain attorney, to which payment well and truly to be made we bind ourselves & each of us our & each of our heirs executors and administrators jointly & severally firmly by these presents sealed with our seals and dated this 9th day of July in the year 1864. Whereas by a decree of the Circuit Court of Queen Anne's County in equity and passed in a cause in which James D. Loller and others are complainants and Daniel S. Loller defendant the above bound John M. Robinson was appointed Trustee to make sale of the Real Estate in the proceedings mentioned,

Now the condition of the above obligation is such that if the above bounden John M. Robinson do and shall well & faithfully perform the Trust reposed in him by said decree or that may be reposed in him by any future order or decree in the premises then the above obligation to be void, otherwise to remain in full force and virtue in law.

Signed sealed & delivered

in presence of W. J. Wolfen

John M. Robinson Seal
John B. Wilmer Seal

On the back of the foregoing was thus endorsed to wit:

Bond approved and filed the 9th day of July 1864.

S. E. D. Gott, Clerk,

And therefore further force of and upon the premises aforesaid is further continued by regular continuance from term to term of said Court to the 23rd day of January in the year Eighteen Hundred and sixty six. on which said day come into Court here as well the said James D. Loller, Samuel Loller, John Loller, William S. Loller, Arthur P. Solloway and Mary his wife, and Samuel G. Halle and Temperance Ann,

his wife complainants, by John M. Robinson ^{Esq.} their Solicitor and the said Daniel S. Loller by M. & J. P. Brown Esquire his Solicitors And therefore John M. Robinson Trustee filed in Court here his Report of Sales in the words following to wit:

In the Circuit Court of Queen Anne's County, in Equity.

To the Hon Judge of the Circuit Court of Queen Anne's County in Equity;

The report of John M. Robinson Trustee appointed to make Sale of the real estate therein mentioned, shews; that after giving bond with security for the faithful discharge of his Trust as required by said decree and giving notice of the time place, manner and terms of Sale by advertisement in the Maryland Citizen a newspaper printed in Queen Anne's County for more than three weeks successively before the day of Sale & by hand bills extensively circulated throughout said County, he did pursuant to said Notice offer at Public Sale in Suddersville on the seventh day of July in the year 1864, all that tract or parcel of land of which Daniel Loller died, seized called Josephs Lot, or by whatsoever name the same may be called situate in the first Election district in said County about three miles from Suddersville and containing by estimation one hundred & sixty eight acres x x x rods x x x perches more or less, and sold the same to Charles Noble at & for the sum of ten dollars & fifty cents per acre making the whole purchase money seventeen hundred and sixty four dollars x x x cents; That the said Charles Noble paid the sum of one hundred & fifty dollars cash payment & executed his bond after the Sale.

Your Trustee further begs leave to report that the said Charles Noble being a non resident did not execute his bond for the residue of the purchase money, but the undersigned was perfectly satisfied with security of said purchase money, & that the said purchaser has paid the two first instalments & avers his readiness at this time to pay the third & last, The Trustee is willing to be responsible for same & therefore begs that the foregoing report be ratified by this Court

John M. Robinson, Trustee,
State of Maryland.

Queen Anne's, County, to wit: } I hereby certify that on this 23rd day of January in the year 1866. before the Subscriber a Justice of the Peace of the State of Maryland for Queen Anne's County personally appeared John M. Robinson and made oath in due form of Law that the matters & things stated in the foregoing report are true to the best of his knowledge & belief, & that the sale therein reported was fairly made.

A. M. Arlett J. P.

And afterwards on the 23rd day of January in the year eighteen hundred and sixty six, the Court passed the following Order to wit:

Ordered that the sale made & reported by John M. Robinson Trustee for the Sale of the real estate in above cause be ratified & confirmed unless cause to the contrary thereof be shown on or before the second day of April next provided a copy of this order be inserted in some paper printed

And thereupon further process of and upon the premises aforesaid, is further continued until the first Monday May next, on which said first Monday May in the year eighteen hundred and sixty six, comes into court here as well the said James D. Collier, Samuel Collier, John Collier, William F. Collier, Arthur P. Solloway and Mary his wife and Samuel G. Halle & Temperance and his wife by Thomas J. Keating Esquire their Solicitors and the said Daniel S. Collier by M. & J. B. Brown Esquire his Solicitors, thereupon Philemon P. Hopper Esq. Auditor of said court files in court here his report in the manner and form following to wit:

James D. Collier & others }
 Daniel S. Collier } In the law court for Queen Anne's
 county sitting as a court of equity.

To The Hon. The Judge of the Circuit Court for Queen Anne's County,
 The Auditor reports that he has examined the proceedings in this cause and has therefrom prepared the following account between the real estate in the proceedings mentioned and John M. Robinson Esq. Trustee for the sale thereof; The account contains the usual allowances to the Trustee, the complainants, the Defendants and the Auditor, and the balance is divided among the parties entitled thereto as set forth in the account which requires no special comment. All of which is respectfully submitted.

P. P. Hopper, Auditor,
 April 3^d 1866.

The Real Estate of James D. Collier & others in acct. with John M. Robinson Esq. Trustee for the Sale thereof. Dr.

1864	To the Trustee for his commission			110	70
7 th July	" " " for his expenses			14	75
	To the complainants for their costs of suit viz:				
	Solicitors	20	00		
	S. E. Dyott, clerk for costs due	5	80		
	" " " for probable costs	25	00		
	James Crothers bondsm. to take testimony	4	05		
	J. P. Dudley, Witness		75		
	G. F. Burgess, "		75		
	Sheriff "		45	56	80
	To the Defendants for their costs of suit viz:				
	Solicitors	10	00		
	S. E. Dyott clerk for costs accrued		1 30	11	30
	To the Auditor for his fee			4	50
				198	05
	To Catharine Collier, widow of John Collier dec'd } 1/8 of Net proceeds }			195	75
	To Jas D. Collier 1/7 of Residue			195	74 2/7
	To Samuel Collier (The Same)			195	74 2/7
	To John Collier (The Same) subject to the assignments filed			195	74 2/7
	To Bro: J. Collier (The Same)			195	74 2/7
	To Mary Solloway, wife of A. P. Solloway (The Same)			195	74 2/7

	To Temperance W. Walls, wife Saml. G. Walls	195	74	² / ₇
	To Daniel S. Loller	195	74	² / ₇
		<u>1764</u>	00	
				lev.
1864 7. July	By Amount of proceeds of Sale as per Trustee report of same filed		1764	00
			<u>1764</u>	00

P. B. Hooper Auditor
April 3, 1866.

And afterwards on the 2^d day of June in the year Eighteen Hundred and sixty six, the Court passed the following Order to wit:
Ordered this 2^d day of June 1866. that the foregoing Auditors report and account be finally ratified and confirmed, no cause to the contrary appearing, and the Trustee is directed to pay over accordingly.

Lloyd Pilghman.
Special Judge.

William Hendrix & Emily Ann Hendrix
his wife, Charles W. Hendrix & Georgetta
Hendrix his wife, Henry Hendrix and
Catherine Hendrix his wife, Joshua
Wooden and Sarah Wooden his wife^{2d}
Daniel R. Woodall & Mary Woodall
his wife

vs.

James Purnose & Nathaniel Purnose

Be it remembered that on this
31st day of October in the year
Eighteen Hundred and fifty^{nine}
William Hendrix & Emily Ann
Hendrix his wife, Charles W. Hen-
drix & Georgetta Hendrix his wife,
Henry Hendrix and Catherine
Hendrix his wife, Joshua Wooden
and Sarah Wooden his wife and
Daniel R. Woodall & Mary Wood-
all & Mary Woodall his wife,
by George Trickers Esq. their Sol-

licitors filed in the Circuit Court here their Bill of Complaint against James
Purnose & Nathaniel Purnose, in the manner and form following, to
wit:

To the Honorable, the Circuit Court for Queen Anne's County in Equity

The Bill of Complaint of William Hendrix and Emily Ann Hendrix his
wife, Charles W. Hendrix and Georgetta Hendrix his wife, Henry
Hendrix and Catherine Hendrix his wife, Joshua Wooden and Sarah
Wooden his wife and Daniel R. Woodall and Mary Woodall his wife, of
Queen Anne's County humbly shews, that Lodowick Hendrix, late of
Queen Anne's County, died intestate in August or September Eighteen Hundred
and fifty nine, seized and entitled in fee to a tract, tracts or Farm and
Plantation, and Woodlot, lying in Thompson's Neck in Queen Anne's County,
containing, from one hundred and fifty acres to two hundred acres which^{was}
devised to him by his Father Lodowick Hendrix and which he devised in
part by the death of his sister Sarah Rebecca Hendrix who died a minor, and
according to the provisions of said Last will and Testament, leaving the
following persons his heirs at Law, to whom the said real estate descended,
and who are seized thereof, to wit: William Hendrix, Charles W. Hendrix,
Henry Hendrix, Sarah Wooden, wife of Joshua Wooden, and formerly Sarah
Hendrix, and Mary Woodall, wife of Daniel R. Woodall, formerly Mary Hen-
drix, his Brothers and sisters, and your Orators, and also James Purnose
and Nathaniel Purnose, children of Margaret Ann Purnose, formerly
Margaret Ann Hendrix, and a deceased sister of said Lodowick Hendrix
and which said James Purnose and Nathaniel Purnose are Minors under
the age of twenty one years, living with their Father William Purnose in
Queen Anne's County, your Orators further charge that the said real estate,
is not susceptible of partition or division among the parties aforesaid,
that it cannot be divided without loss and injury to the said parties, and
that it will be to the interest and advantage of all the parties that the^{same}
should be sold and the proceeds distributed amongst the parties entitled,
according to their respective interests,

To the end therefore that the said James Purnose and
Nathaniel Purnose, may answer the premises and that a decree
may be passed for a sale or partition of the said real estate and that if a
sale be decreed, that the net proceeds may be distributed amongst the
said parties in proportion to their respective interest, and that your Orators
may have such further or other relief, as their case may require -

May it please your Honorable Court to grant unto your Orators the

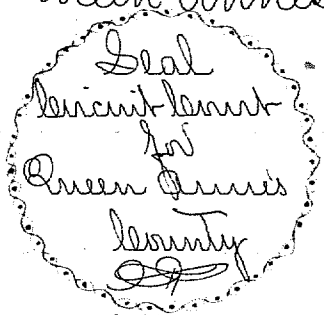
States writ of Subpoena directed to the said James Purnose and Nathaniel Purnose of Queen Anne's County, commanding them to be and appear in this Court, at some certain day to be therein named to answer the premises, and stand by and abide such decree or order as may be passed therein, and as in duty bound, your Obedts will ever pray, &c.

Oct. 29. 1859.

George Pickers Sol.
for Compts.

And afterwards Subpoena was issued in the words following, to wit:

Queen Anne's County, Sch: The State of Maryland to James Purnose and Nathaniel Purnose of Queen Anne's County greeting: You and each of you are hereby commanded to be and appear before the Circuit Court for Queen Anne's County as a Court of Chancery to be held at Centerville in said County on Monday the seventh day of November next to answer unto the Bill of Complaint of William Bendrix & Emily Ann Bendrix his wife, Charles W. Bendrix and Georgetta Bendrix his wife, Henry Bendrix and Catherine Bendrix his wife, Joshua Losden and Sarah Losden his wife and Daniel R. Woodall and Mary Woodall his wife, in said Court against you exhibited. Hereof fail not as you shall answer the contrary at your peril and have you then & there this writ, Witness the Honorable R. B. Carmichael Esquire Judge of said Court the second day of May 1859. Issued the 31st day of October 1859.

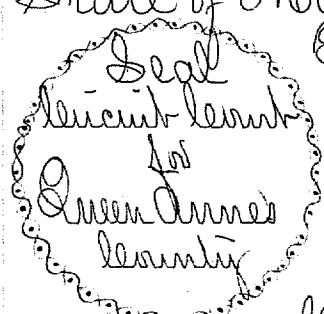


Madison Brown, Clerk.

Thereupon further process of and upon the premises aforesaid is further continued until the first Monday of November next, on which said first Monday of November in the year Eighteen Hundred and fifty nine, comes into Court here as well the said William Bendrix & Emily Ann Bendrix his wife, Charles W. Bendrix & Georgetta Bendrix his wife Joshua Losden and Sarah Losden his wife and Daniel R. Woodall and Mary Woodall his wife, by their Solicitor, George Pickers Esquire, and thereupon Edward Sudler Esq. the Sheriff of Queen Anne's County to whom the aforesaid Subpoena was inform aforesaid directed makes return thereof thus endorsed to wit: Sundry Edward Sudler, Sheriff.

Whereupon the said James Purnose and Nathaniel Purnose being minors under the age of twenty one years, the Court orders and directs that a Commission shall issue to assign a Guardian to answer for the Infants. And thereupon a Commission was issued and directed to John Palmer Esq. requiring him to assign such Guardian, The said Commission was in the words following to wit:

State of Maryland, Queen Anne's County to wit: To John Palmer Jr. of Queen Anne's County, Gentleman, greeting, Whereas William Bendrix and Emily Ann Bendrix his wife Charles W. Bendrix and Georgetta Bendrix his wife Henry Bendrix and Catherine his wife, Joshua Losden and Sarah Losden his wife and Daniel R. Woodall & Mary his wife filed this Bill of Complaint against James Purnose and Nathaniel Purnose in the Circuit Court for Queen Anne's County sitting in Equity and whereas the



Said Court has lately commanded the said James Purnoise and Nathaniel Purnoise to appear before the said Court at a day now past to answer the said Bill, but for as much as the said James Purnoise and Nathaniel Purnoise are infants under age and cannot answer the said Bill or defend the said suit without having a guardian appointed for that purpose:

Know ye therefore that the said Court have given you full power and authority to assign and appoint a guardian for said infants and take the answer of said infants to the said Bill: Therefore you are hereby commanded that at such time and place as you shall think fit, you go to the said infants if they cannot conveniently come to you, to assign and appoint a guardian to said Bill: On such guardian's corporal oath to be by you administered, on the Holy Evangelly of Almighty God, the said answers having been distinctly and plainly written, and when you shall have taken the said answers you are to send the same with this Commission closed under your hand & seal, together with a certificate that you have appointed & assigned such guardian as aforesaid to the said Court.

Witness the Honble Richard B. Carmichael Esq. Judge of said Court
the 14th day of November 1859.

Spired the 8th day Dec 1859.

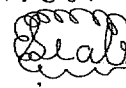
Madison Brown, Clerk,

Afterwards on the twelfth day of January in the year Eighteen Hundred and sixty, John Palmer the Commissioner named in the aforesaid Commission made return of the execution thereof, in the manner following to wit:

To The Honorable the Circuit Court for Queen Anne's County sitting as a Court of Equity:

The undersigned respectfully returns, that pursuant to the authority vested in him by the within and aforesaid Commission, he did, on the seventh day of January in the year 1860. assign and appoint Saml. J. Harrison Esq. Guardian to the Infants in said Commission named, and did take answers of the said Infants by the said Guardian on his corporal oath, by the undersigned administered which answers hereto annexed are herewith returned together with said Commission.

Witness my hand and seal, this seventh day of January 1860.

John Palmer Jr. 
Commissioner.

The Answer of James Purnoise and Nathaniel Purnoise, of Queen Anne's County, Infants under the age of twenty one year by Samuel J. Harrison their Guardian in that behalf specially appointed to the Bill of Complaint of William Bendrix and Emily Ann Bendrix his wife, Charles W. Bendrix and Georgetta Bendrix his wife, Henry Bendrix and Catherine Bendrix his wife, Joshua Loeden and Sarah Loeden his wife and Daniel R. Woodall and Mary Woodall his wife, against Defendants exhibited on the Equity side of the Circuit Court for Queen Anne's County.

These Defendants answering by their Guardian aforesaid, to the said Bill of Complaint, say that they admit the truths of the several matters and things charged and set forth in said Bill of Complaint, and pray that the Court will protect their interests in the premises, and they pray to be hence dismissed with their costs and so forth.

Saml. J. Harrison

Samuel T. Garrison Guardian of James Primrose & Nathaniel Primrose of Queen Anne's County, The Guardian above named makes Oath on the Holy Evangelly of Almighty God, that the matters and things stated in the foregoing Answers are true, to the best of his knowledge and belief, Sworn to before the subscribers, Commissioners for that purpose.

John Palmer Jr. Commissioners

Whereupon the following agreement was filed to wit:

William Hendrix & others }
vs. } Bill on the Equity side of the Circuit
James Primrose & Nathaniel } Court for Queen Anne's County
Primrose } Novem. Term 1859.

It is agreed that a Commission may issue in the above case to John Palmer, Junr, of Queen Anne's County, to take Testimony
George Pickers, Sol.
for Compls.
J. B. Brown Sol
for Defts.
Dec 1859.

And thereupon Commission was issued in the usual form (as it appears by the Docket entries though it is not now on file with the papers),
And afterwaide on the 14th day of March in the year Eighteen Hundred and sixty, William Hendrix and Emily Ann Hendrix his wife, Charles W. Hendrix and Georgetta Hendrix his wife Henry Hendrix and Catherine Hendrix his wife, Joshua Wooden and Sarah Wooden his wife, and Daniel R. Woodall and Mary Woodall his wife, by George Pickers Esq. their Solicitor filed in Court here their amended or Supplemental Bill of Complaint, in the words following to wit:
To the Honorable The Circuit Court for Queen Anne's County as a Court of Equity.

The amended or Supplemental Bill of Complaint of William Hendrix and Emily Ann Hendrix his wife, Charles W. Hendrix and Georgetta Hendrix his wife, Henry Hendrix and Catherine Hendrix his wife, Joshua Wooden and Sarah Wooden his wife and Daniel R. Woodall and Mary Woodall his wife of Queen Anne's County humbly shews, that heretofore they filed their Bill of Complaint in this Court against a certain James Primrose and Nathaniel Primrose of Queen Anne's County praying for a Sale of the real estate of Lodowick Hendrix, late of Queen Anne's County deceased, on the ground that it could not be divided among his heirs and persons entitled without loss and injury to them and alledging that it would be to the interest and advantage of all parties entitled, that the said real estate lying in Queen Anne's County should be sold and the proceeds be distributed according to their respective interests in which bill it was alledged that the said James Primrose and Nathaniel Primrose, Primrose, were the children of Margaret Ann Primrose formerly Margaret Ann Hendrix a sister of said Lodowick Hendrix, and as in said Bill is particularly set forth, to which said Bill the said, defendants answered by Guardian, as by some proceeding now in this Court will appear.

And your Orators have lately discovered, and now charge by way of amendment or supplement, to their aforesaid Bill of Complaint, that at the time of the death of the said Lodowick Hendrix, there was living in

Queen Anne's County two other Minor children of the said Margaret Ann Purnose to wit: Pere Purnose and Sarah Eliza Purnose and who with the Defendants in the said Bill of Complaint, and with the other parties named in the Bill as such, are here at Law of the said Lodowick Hendrix, deceased, and to whom the said real estate descended; and which said Pere Purnose and Sarah Eliza Purnose are necessary parties to this Suit, your Orator avers that the lands cannot be divided without loss and injury to all the parties entitled and that it will be to the interest and advantage of all, that it should be sold and proceeds distributed among them according to their respective proportions.

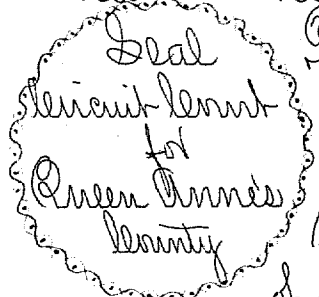
To the end therefore that the said James Purnose whose name is James W. Purnose and Nathaniel Purnose may answer this amendment; and that the said Pere Purnose and Sarah Eliza Purnose may answer as well the matters charged in the original Bill of Complaint, as in this amended Bill, and that your Orator may have such relief against them as is prayed by their original Bill against said James Purnose and Nathaniel Purnose, May it please your Honorable Court to grant unto your Orator the Statute writ of Subpoena directed to the said James W. Purnose, Nathaniel Purnose, Pere Purnose and Sarah Eliza Purnose of Queen Anne's County, commanding them to be and appear in this Court at some certain day to be therein named, to answer the premises, and stand by and abide such decree or order therein, as may be passed, and as in duty bound, your Orator will ever pray &c.

17th March 1860.

George Pickens Sol. for
Complainants

Therefore Subpoena was issued in the following form to wit:

Queen Anne's County, &c: The State of Maryland, To James W. Purnose and Nathaniel Purnose of Queen Anne's County:



You are hereby commanded to be and appear before the Circuit Court for Queen Anne's County as a Court of Chancery to be held at Centerville in said County on the first Monday of May next to answer unto the amended Bill of Complaint of William Hendrix and Emily Ann his wife, Charles M. Hendrix and Georgetta his wife, Henry Hendrix and Catherine his wife Joshua Gosden and Sarah his wife and Daniel R. Woodall and Mary his wife, in said Court against you exhibited, Hereof fail not as you shall answer the contrary at your peril and have you then and there this writ. Witness the Honorable R. B. Barnichall Esquire Judge of the said Court the 23rd day of January in the year 1860.

Spued the 14th March 1860.

Madison Brown, Clerk.

Queen Anne's County, &c: The State of Maryland, To Pere Purnose and Sarah Eliza Purnose of Queen Anne's County greeting:



You are hereby commanded to be and appear before the Circuit Court for Queen Anne's County as a Court of Chancery to be held at Centerville on the first Monday of May next to answer unto the original and amended Bill of Complaint of William Hendrix and Emily Ann his wife, Charles

W. Hendrix and Georgetta his wife, Henry Hendrix and Catherine his wife, Joshua Leoden and Sarah his wife and Daniel R. Woodall and Mary his wife, in said court against you exhibited hereof fail not as you shall answer the contrary at your peril and have you then and there this writ: Witness the Honorable R. P. Carmichael Esquire Judge of said court the 23rd day of January in the year 1860.

Given the 14th March 1860.

Madison Brown, Clerk,

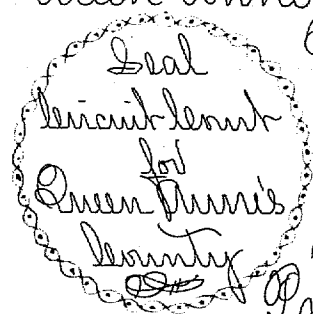
Therefore further process of and upon the premises aforesaid, is further continued until the first Monday of May next, on which said first Monday of May in the year Eighteen Hundred and sixty, come into court here as well the said William Hendrix and Emily Ann Hendrix his Wife, Charles W. Hendrix and Georgetta Hendrix his wife, Henry Hendrix and Catherine Hendrix his wife, Joshua Leoden and Sarah Leoden his wife, and Daniel R. Woodall and Mary Woodall his wife by George Bickers Esquire their Solicitor and the said John R. Story Esq. the Sheriff of Queen Anne's County to whom the afore recited Subpoena's were in manner and form aforesaid directed and make return thereof, true endorsed to wit:

Summoned.

John R. Story, Sheriff,

And therefore the court orders and directs that a commission shall issue to assign a Guardian to answer and defend for the infants, whereof said commission was issued to John Palmer Esq. in the manner and mode following to wit:

Queen Anne's County, to wit: The State of Maryland, To John Palmer of Queen Anne's County, greeting: Wherein William Hendrix and others have lately exhibited their Bill of Complaint in the Circuit Court for Queen Anne's County as a Court of Chancery against James Purnoise, Nathaniel Purnoise, Pere Purnoise, and Sarah Eliza Purnoise of Queen Anne's County, Defendants:



and whereas the said court by its writ has lately commanded the said Defendants to appear before it, but for as much as the said Defendants are Infants & under the age of twenty one years of age and cannot answer the said Bill nor defend this writ without having a Guardian assigned in their behalf, Be it known that full authority and power are given unto you in pursuance of the special order in said court, to assign and appoint a Guardian for the aforesaid Infants, and to take the answer of the said Infants by such Guardian to the said Bill, and therefore you are hereby commanded, that at such certain day and place as you shall think fit, you go to the said Defendants, if they cannot conveniently come to you and assign and appoint a Guardian for the aforesaid Infants and take the answer of the said Infants by such Guardian to the said Bill on such Guardian's Corporal Oath upon the Holy Evangelies to be administered by you, the said answer being distinctly and plainly written, and when you shall have so taken the said answer you are to send the same closed up under your hand and seal, together with your certificate of your having assigned and appointed such Guardian as aforesaid and this writ unto the said court. Witness R. P. Carmichael Esq. Judge of said court the 7 day of May 1860.

Given the 7th day of May 1860.

Madison Brown, Clerk,

Whereupon on the same day John Palmer Esq. the Commissioner named in the foregoing Commission, makes return of the Execution of said Commission in the manner and form following to wit:

To The Honorable, The Circuit Court for Queen Anne's County, sitting as a Court of Equity:

The undersigned respectfully returns that pursuant to the authority vested in him by the within and foregoing Commission, I did, on the eighth day of May in the year 1860, assign and appoint William Pummise Guardian to the Infants in said Commission named and did take the answers of said Infants by the said Guardian on his corporal oath, by the undersigned administered, which answers hereto annexed, are herewith returned together with said Commission.

Witness my hand and seal this eighth day of May 1860.

Commissioners cost. \$ 4.00 3/4

John Palmer, Comr., Seal

The Answers of James Pummise, Nathaniel Pummise, Pere Pummise, and Sarah Eliza Pummise of Queen Anne's County, Infants under the age of twenty one years by William Pummise their Guardian in that behalf especially appointed to the Bill of Complaint of William Bendrix and Emily Ann Bendrix his wife, Charles B. Bendrix and Gergetta Bendrix his wife, Henry Bendrix and Catherine Bendrix his wife, Joshua Losden and Sarah Losden his wife, and Daniel R. Woodall and Mary Woodall his wife, against said Defendants exhibited on the Equity side of the Circuit Court for Queen Anne's County, these Defendants, answering by their Guardian aforesaid, to the said Bill of Complaint, say, that they admit the truth of the several matters and things charged and set forth in said Bill of Complaint, and pray that the Court will protect their interest in the premises and they pray to be hence forth dismissed with their costs and so forth.

William Pummise

William Pummise Guardian of James Pummise, Nathaniel Pummise, Pere Pummise, and Sarah Eliza Pummise of Queen Anne's County, the Guardian above named, makes oath on the Holy Evangelical of almighty God, that the matters and things stated in the foregoing answer, are true, to the best of his knowledge and belief.

Sworn to before the subscribed, Commissioner for that purpose.

John Palmer, Commissioner

Whereupon the following agreement was filed to wit:

W. B. Bendrix + others } Bill on the Equity side of the Circuit
vs. } Court for Kent County
James Pummise + others } May 9th 1860.

It is agreed that a Commission may issue to John Palmer Esq. to take testimony in the above case,

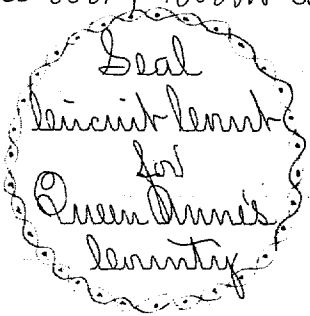
George Pickens, Sol, for Compls

J. R. Brown, Sol. for Defs

Therefore Commission was issued to John Palmer Esquire, in the manner and form following to wit:

The State of Maryland,

To John Palmer Esquire, Gentleman, of Queen Anne's County, greeting: Be it known, that you are appointed a Commissioner to examine witnesses in a cause depending in the Circuit Court for Queen Anne's County between William G. Hendrix and others, Complainants and James Primrose, Nathaniel Primrose, Pere Primrose and Sarah Eliza Primrose Respondents, therefore you are requested, having first taken the oath hereunto annexed, and also administered the annexed oath to the person whom you shall appoint as clerk to attend the execution of this Commission, that at such time and place as to you shall seem convenient, you shall cause to come before you, all such witnesses as shall be named or produced to you, by either the Plaintiff or Defendant; and that you examine them upon their corporal oaths to be by you administered on the Holy Evangelical of Almighty God, touching their knowledge or remembrance of any thing that may relate to the case aforesaid; and that you cause notice to be given to the parties or their attorneys, of the execution of this Commission, before you execute the same; and having reduced the depositions of the Witnesses, so taken by you, into writing, you send the same, with this Commission, closed under your hand and seal, to the said Court, with all convenient speed.



Witness The Hon. Richard P. Carmichael Judge of the Circuit Court for Queen Anne's County, this seventh day of May Anno Domini, 1860.

Given this eleventh day of May Anno Domini Eighteen Hundred and sixty

Madison Brown, Clerk,

Commissioner's Oath.

You, John Palmer shall, according to the best of your skill and knowledge, truly, faithfully, and without partiality to any or either of the parties, take the depositions and examination of all and every witnesses and witnesses produced and examined by virtue of the Commission hereunto annexed, upon the interrogatories now, or which may hereafter, before the said Commission is closed, be produced to, and left with you, by either of the said parties. So help you God.

I hereby certify, that the above Commission's Oath was sworn to, and subscribed, by John Palmer before me, one of the State of Maryland's Justices of the Peace, in and for Queen Anne's County, on this eleventh day of May Anno Domini, Eighteen Hundred & Sixty,

Jno. G. Rowleson, Justice of Peace.

Clerk's Oath.

You, Madison Brown Jr. shall truly, faithfully, and without partiality to any or either of the parties in this cause, take, write down, and transcribe, the depositions of all and every the witnesses produced before, and examined by the Commissioner, named in the Commission hereunto annexed, as far forth as you are directed and employed by the said Commissioner, to take, write down, and transcribe the said depositions or any of them, So help you God.

Sworn to, before me, on the 12th day of May, Anno Domini, 1860.

John Palmer, Commissioner,

And afterwards, to wit: on the twelfth day of May in the year Eighteen Hundred and sixty, John Palmer Esq. The Commissioner named in the foregoing commission, makes return of the execution of the said commission, in manner and form following, to wit:

- William Hendrix & Emily Ann Hendrix his wife, Charles W. Hendrix and Georgetta Hendrix, his wife Joshua S. Losden and Sarah Losden his wife, Daniel Rochester Woodall & Mary Woodall his wife, Henry Hendrix and Catherine Hendrix his wife
- James Primrose, Nathaniel Primrose & Sarah Eliza Primrose

Filed on the Equity side of the Circuit Court for Queen Anne's County.

Commissioner to take testimony. John Palmer, Esq. Interrogatories to Witnesses. produced on the part of Complainants.

- First. Do you or not know the parties Complainants and Defendants in the Title to these Interrogatories named, If yes how long have you known them, Are the Defendants, Minors,
- Second. Were you or not acquainted with Lodi Hendrix, (a son of Lodi Hendrix) who died in 1859. from an injury received from a gun shot wound, Were you or not acquainted with the real estate which he owned in fee & devised from his Father & Sister, If yes, state about the quantity of said real estate, where situate, and its probable value, and its present condition, and the number & condition of the Buildings.
- Third. Who were the Heirs at law to whom the said real estate descended, and who are seized thereof; name them, & if any have married, state the name of the Husband or wives respectively.
- Fourth. From your knowledge of the said real estate and number of the heirs entitled; Do you or not believe that the said real estate can be divided without loss or injury to the parties; and is it or not too small for division among so many, without loss and injury to the heirs and persons entitled,
- Fifth. Do you or not believe, and is it or not your best judgment, that it would be advantageous to all the parties interested in said real estate that the same should be sold and proceeds distributed ratably among the heirs entitled:

George Pickens, Sol. for Comfette.

At the execution of the annexed commission issued out of the Circuit Court for Queen Anne's County and to me directed and empowering me to examine evidences in the cause depending in the said Court between

William H. Hendrix & others Complainants, and James Primrose, Nathaniel Primrose, Pere Primrose and Sarah Eliza Primrose Respondents, & Commissioners therein named did on the twelfth day of May, 1868. at Kentville pursuant to previous notice thereof given to the said parties, and taken the oaths annexed to the said Commission, and having appointed Madeline Bonnum Jr. my clerk, and administering to him the oaths annexed to the said Commission to be taken by him, did proceed then and there in the presence of the Complainants, by Geo. Beckers Esq. their attorney, and of John D. Bonnum, the solicitor for the Defendants to take the following depositions to wit:

Samuel Bonnum, a witness of lawful age, produced on the part of the Complainant, being duly sworn and examined to interrogatories, filed with the Commissioners by the Complainants and herewith returned deposes and says.

To the first Interrogatory, He does know all the parties to this suit and has known them a long time, and that all the Defendants are Infants under the age of twenty one years.

To the second, That he was acquainted with Lodowick Hendrix who died in Queen Anne's County, eighteen hundred and fifty nine, and that he is also acquainted with said deceased's Real Estate which he owned in fee and derived from his father and sister, which is situated in Thompsons Neck in Queen Anne's County and contains about 120. acres, two thirds of which is forest. The dwelling is small, and unfinished, the out buildings are small, and indifferent. and considers the farm including the wood lot worth about \$2500.00

To the third. The Heirs at law of the said Lodowick Hendrix to whom the said Real Estate descended and who are supposed thereof are William Hendrix, Charles W. Hendrix, Sarah Gosden, Mary Woodall, Henry Hendrix, were brothers and sisters of the deceased, also James Primrose, Nathaniel Primrose, Pere Primrose, Sarah Eliza Primrose children of William and Margaret Primrose, which said Margaret is deceased and was the sister of said Lodowick Hendrix, deceased, The wife of William Hendrix is named Emily Ann, the wife of Charles W. Hendrix is named George Etta, the Heiress of Sarah Gosden is named Joshua S. Gosden, the husband of Mary Woodall is Daniel R. Woodall, the wife of Henry Hendrix is named Catherine.

To the fourth. From his knowledge of the said Real Estate he does not think it could be divided without great loss and injury to the parties entitled.

To the fifth. He does

Saml. Bonnum.

William Primrose, a witness of lawful age produced on the part of the Complainants being duly sworn and examined to interrogatories filed with the Commissioners by the Complainants and herewith returned deposes and says.

To the first, third, fourth and fifth interrogatories he gives the same answer as Samuel Bonnum whose deposition was read to him.

To the second. He gives the same answer except to the value of said Real Estate which he estimates from \$2500.00 to \$3000.00 dollars.

William Primrose

lost, executing bond.
 Commissioners levets 4.10 }
 Mo. Prinn Jr. Clerk 2.66 $\frac{2}{3}$ }
 J. R. Story, Sheriff 1.66 $\frac{2}{3}$ }
 S. Prinn: Writings 1.66 $\frac{2}{3}$ }
 Wm. Prinnise Writings 1.66 $\frac{2}{3}$ }
 There being no other witnesses to be
 examined and neither party
 desiring further time for the pro-
 duction of evidences the Comm-
 issioners closed said Commission
 and here with return the same
 under his hand and seal this 12th day of May 1860.

John Palmer, Comr.,
 Thereupon the following agreement was filed, to wit:
 William Hendrix & others }
 vs }
 James Prinnise & others } Bill on the Equity side of the Circuit
 v. C. of Queen Anne's Co. May Term 1860.

It is agreed that the papers in the above case, shall be submitted for
 Decree without argument.
 May 12th / 1860.

George Bickers Sol. for Comr.
 J. R. Prinn Sol. for Defts.

Whereupon the Court passed the following Decree, to wit:
 William Hendrix & wife & others }
 Against }
 James Prinnise, Nathaniel Prinnise } In the Circuit Court for
 Pere Prinnise & Sarah Eliza Prinnise } Queen Anne's County
 May Term, 1860.

The cause being ready for hearing and being submitted the Bill
 answers, commissions and all other proceedings therein having been
 ready and considered - It is thereupon, this 12th day of May in the
 year eighteen hundred, and sixty, Pory Richard B. Carmichael Judge
 of the seventh Judicial Circuit of Maryland and by authority of this Court
 Adjudged, ordered and decreed, that the Real Estate and property in
 the said proceedings mentioned be sold: That George Bickers be and he
 is hereby appointed Trustee to make sale, and that the course and
 manner of his proceedings shall be as follows: he shall first file with
 the Clerk of this Court, a bond to the state of Maryland, executed by him-
 self and a surety or sureties, to be approved by me or said Clerk in the
 penalty of eight thousand Dollars, conditioned for the faithful perfor-
 mance of the Trust reposed in him by this decree, or to be reposed in him
 by any future Decree or order in the premises; he shall then proceed
 to make said sale, having given at least three weeks notice by advertise-
 ment, inserted in such newspaper or newspapers, as he shall think
 proper, of the time place, manner and terms of sale: which shall be
 on a credit of six, twelve, and eighteen months, in three equal instal-
 ments, from the day of sale, with interest from the first day of January
 next, to be secured by the Bond of the purchaser to the Trustee with secu-
 rity to be approved by the Trustee and as soon as convenient after such
 sale, the said Trustee shall return to this Court a full and particular
 account of his proceedings relative thereto; with an affidavit of the truth
 thereof, and of the fairness of said sale; and on obtaining Court's ratifi-
 cation of sale, and on the payment of the whole purchase money,

(and not before) the said Trustee shall, by a good and sufficient deed, to be executed, acknowledged, and recorded according to law, convey to the purchaser, or purchasers, his, her or their heirs, the property and estate to him, her, or them sold, free, clear and discharged from all claim of the parties hereto, complainants and Defendants and those claiming by, from or under them, on either of them: and the said Trustee shall bring into court, the money arising from said sale, to be distributed under the direction of this court, after deducting the costs of this suit, and such commission to said Trustee as this court shall think proper to allow in consideration of the skill, attention, and fidelity wherewith he shall appear to have discharged his trust.

Rich^d Bⁿ Barnichael.

And afterwards on the 25th day of May in the year Eighteen Hundred and sixty, George Pickers Esq. Trustee named in the foregoing decree files in court here his bond, in the words following to wit:

Know all men by these presents, that We George Pickers, Richard Heynem and Samuel W. Spencer of Kent County in the State of Maryland, are held and firmly bound unto, The State of Maryland, in the sum of Eight thousand dollars current money to be paid to the State of Maryland, to its certain Attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this Twenty third day of May in the year eighteen hundred and sixty. Whereas, by a decree of the Circuit Court for Queen Anne's County, sitting as a Court of Equity, bearing date on the Twelfth day of May, in the year eighteen hundred and sixty and passed in a cause in the said court, wherein, William Hendrix and Wife and others are complainants, and James Primrose and others are Defendants, the above bound George Pickers has been appointed Trustee to make sale of certain real estate in the proceedings in said cause mentioned, Now the condition of the above obligation is such, that if the above bound George Pickers do and shall, well and faithfully perform the trust reposed in him by said Decree, or that may be reposed in him by any future Decree or order in the premises, then the above obligation to be void, otherwise, to remain in full force and virtue in law.

Signed, sealed, and Delivered, }
 in the presence }
 G. L. Pickers }

George Pickers Seal
 Rich^d Heynem Seal
 S. W. Spencer Seal

And on the back of the foregoing Bond, was thus endorsed, to wit:
 Security approved May 25th, 1860.

M. Brown Clerk
 Cir. Ct. Q. A. County.

And afterwards to wit: On the 16th day of July in the year Eighteen Hundred and sixty, George Pickers Esq. The Trustee named in the afore recited Decree, files in court here his report of sales, in the manner and form following to wit:

William Hendrix and wife & others }
 Against }
 James Primrose & others } on the Equity Side of the
 } Circuit Court for Queen
 } Anne's County.

To the Honorable, the Circuit Court for Queen Anne's County, a Court of Equity.

The Report of George Bickers, Trustee appointed by the Decree in this cause, to make sale of the real estate of Lodi or Lodowick Hendrix late of Queen Anne's County, deceased, and mentioned in the proceedings, shows: That after giving Bond with security for the faithful discharge of his trust, as required by said decree, and giving notice of the time, place, manner and terms of sale, by advertisements in the Maryland Citizen, The Advocate and Centreville Times three newspapers published in Centreville in Queen Anne's County, and in the Kent News, a newspaper published in Chestertown; for more than three successive weeks before the day of sale, and by printed handbills, set up and circulated, at various public places in Kent County, and by an advertisement in a Delaware news paper he did pursuant to said notice, attend at the House of Thomas P. Minnise of Queen Anne's County near Chester River Bridge, on Saturday the twenty third day of June in the year eighteen hundred and sixty at half past ten o'clock A. M. and then and there proceeded to sell the said real estate as follows.

Your Trustee offered at public Sale to the highest bidder: All that Farm, Plantation, Tracts or parcels of land, lying in Queen Anne's County, commonly called "Woodlands" or "Rich Neck" containing one hundred and forty six acres and three fourths of an acre, more or less - and another Tract or part of a tract of land, adjoining the same, containing twenty one acres one rood and fifteen perches of land, more or less - being the lands of which the said Lodi or Lodowick Hendrix died seized, which was devised to the said Lodi or Lodowick Hendrix by his deceased Father, and which are particularly described by courses and distances, in a deed from the Honorable James W. Pearce, Trustee to the said Lodi or Lodowick Hendrix and Susan Rebecca Hendrix, duly executed and acknowledged, bearing date on or about the third day of November in the year eighteen hundred and forty nine and recorded among the land records of Queen Anne's County, and as described in an extract from said Deed, herewith filed marked Exhibit, J. W. P. and prayed to be taken as a part of this Report: and sold the said lands and premises to William H. Beck of Queen Anne's County of or said, he being then and there the highest bidder for said lands and premises, at and for the sum of eighteen dollars per acre, for every acre amounting in the whole to the sum of Three thousand and sixteen dollars and sixty eight cents, and he has since taken the bond of the said William H. Beck with Samuel F. Hoarson and David H. Crane of Queen Anne's County, as security, for the payment of the said sum, in three equal instalments, in six, twelve and eighteen months from the said day of sale with interest from the first day of January next, the rent of the premises for the present year, reserved from the sale for the benefit of the heirs at law of said Lodi or Lodowick Hendrix deceased, Your Trustee reports the said Sale as fair, and prays the usual order thereon. Which is respectfully submitted.

George Bickers, Trustee.

The State of Maryland, Kent County, to wit:

On this fourteenth day of July in the year eighteen hundred and sixty, before me the undersigned a Justice of the Peace in and for said County, personally appeared the within named George Bickers, Trustee,

half perches then South thirteen degrees West ninety six perches to the Neck road, then by a straight line to the Beginning, containing one hundred forty six acres and three fourths of an acre of land, also all that part of the track of land aforesaid described on the plat aforesaid as number 2, and which said last mentioned parcel or lot of land, is contained within the following metes and bounds, that is to say, Beginning for the said lot Number 2 at the end of two hundred thirty six and a half perches on the same line of Borefield Renewed then with said line reversed south sixty nine degrees East thirty seven and a half perches then south thirteen degrees West eighty nine perches to main Neck road then North eighty one degree fifteen minutes West thirty seven and a half perches then by a straight line to the beginning containing twenty one acres one rood, fifteen perches of land both of which were formerly parts of the estate of leold. John Thompson deceased.

I hereby certify that the foregoing is a true Extract taken from Liber J. F. 27.6, folios 282 & 283. a land Record book for Queen Anne's County.



In Testimony whereof I hereto subscribe my name and affix the seal of the Circuit Court for Queen Anne's County this 1st day of July Anno Domini 1867

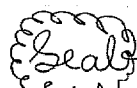
Saml. E. Dyott, Clerk.

Thereupon further process of and upon the premises aforesaid, is further continued until the first Monday of November next at which said first Monday of November in the year eighteen hundred and sixty comes into Court here as well the said William Bendrix & Emily Ann Bendrix his wife, Charles W. Bendrix and Georgetta Bendrix his wife, Henry Bendrix and Catharine Bendrix his wife, Joshua Wooden and Sarah Wooden his wife, and Daniel R. Woodall and Mary Woodall his wife, by George Bickers Esq. their Solicitor, and the said James Purnoise, Nathaniel Purnoise, Pere Purnoise and Sarah Eliza Purnoise, by John R. Brown their Solicitor. and thereupon the following agreement was filed to wit:

Know all men by these presents, that I, Henry Bendrix of Queen Anne's County for a valuable consideration to me in hand paid, by James Woodall of said County, all my right, title, interest claim and demand, of, in and to, the proceeds of Sale of real estate of my deceased Brother Lodibor Lodovick Bendrix, late of said County, deceased, and which said land was by George Bickers, Trustee for the sale thereof under a Decree of the Circuit Court for Queen Anne's County; And I hereby authorize and empower and request, the Auditor of the Circuit Court for Queen Anne's County, to audit and allow my share of the said proceeds of Sale to the said James Woodall and I hereby request and petition the said Court to order and sanction such audit and proceedings.

Witness my hand and seal this 30th October 1860.

Witness W. W. Foreman

Henry Bendrix 

Queen Anne's County, Oct;

On this 30th October 1860 personally appeared the above named Henry Bendrix of said County before me the undersigned a Justice of the

Peace for said levinty and acknowledged the above assignment to be his act and deed, according to the perfect true intent and meaning thereof.
Acknowledged before
Henry W. Foreman J. P.

Thereupon further process of and upon the premises aforesaid, is further continued by regular continuances from term to term of the said levint until the first Monday of May in the year Eighteen Hundred and sixty two on which said day comes into levint here as well the said William Hendrix and Emily Ann Hendrix his wife and Charles W. Hendrix and Georgetta Hendrix his wife Henry Hendrix and Catherine Hendrix his wife, Joshua Leoden and Sarah Leoden his wife and Daniel R. Woodall and Mary Woodall his wife, by George Pickers Esq. their Solicitor and the said James Purnoise, Nathaniel Purnoise, Pere Purnoise and Sarah Eliza Purnoise by John P. Purnoise Esq. their Solicitor, And thereupon the levint passed the following Order, to wit:

In the Circuit Court for Queen Annes County, In Equity.
Ordered that the sale within reported, &c, and the same is hereby ratified and confirmed, no cause to the contrary thereof having been shown, although Notice appears, to have been given as directed by the preceding order, The Trustee is allowed for Commission \$100.00, and such expences as the Auditor may allow, when bills filed.
Rich^d B^{arn} Michael
8th May 1862,

And afterwards, to wit: on the 10th day of September in the year Eighteen Hundred and sixty two, the following assignment was filed, to wit:
1860. June 25. For value received I hereby assign and transfer all my right, title interest and claim of in and to, all my portion of the proceeds of sale of the real estate of Lodi Hendrix dec^d. commonly called "Rich Beck" containing 167 acres & woods 15 perches more or less and sold by George Pickers, Trustee under decree l. l. Queen Annes County, on a Bill filed by myself & others against Purnoise, to William H. Beck of Queen Annes County and I hereby authorize the Auditor of the Circuit Court for Queen Annes County to audit & allow my share of the nett proceeds of said real estate to said William H. Beck.
The words "to William H. Beck" }
& Queen Annes County just interlined }
Witness: George Pickers }
Charles W. Hendrix Seal

And afterwards to wit: on the 4th October in the year Eighteen Hundred and sixty two, Philemon P. Hooper Esq. the Auditor of said levint, files in levint here his report, in manner and form following to wit:
William Hendrix & others }
vs } In the levint Court for Queen Annes Co.
James Purnoise & others } sitting as a levint of Equity -

To the Hon. R. B. Barnichael Judge.
The Auditor respectfully reports that he has examined the proceedings in this cause, and has therefrom stated the following acct. between the real estate mentioned and Geo Pickers Esq. Trustee for the sale thereof. He allowed to Trustee his Com-

miserion, expenses, and tax on real estate paid by him to Register of Queen Anne's County as per receipt filed, having deducted from the amt. of County state tax thereon and assigned it to the state, He allotted to the Complainants & Defendants each their costs of suit and to the Auditor his fee - The residue after these deductions, he divided among the Brothers & Sisters of deceased and the children of a deceased sister, giving to the Brothers and Sisters each $\frac{1}{6}$ of said residue and to the children of the deceased sister $\frac{1}{4}$ of $\frac{1}{6}$ of same.

All of which is respectfully submitted
 P. P. Hoopfer, Auditor,
 October 3rd 1862.

Q. P. The share of Charles W. Bendrix was allotted to William H. Beck according to an assignment in writing filed and the share of Bendrix was allotted to James Woodall according to a deed of assignment also filed among the papers of the cause.
 P. P. Hoopfer.

Dr. The Real estate of Lodowick Bendrix dec'd in acct. with George Pickers Esq. Trustee &c.

1860		Dols.	Cts.	Dols.	Cts.
June 23	To the Trustee for his Commission	120	50		
	State tax on Trustee Commd.	12	05	108	45
	To the Trustee for his expenses			42	00
	To the Trustee for collateral tax on real estate			75	41
	To the state for tax on Commission of Trustee			12	05
	To the Complainants for their costs of suit viz:				
	Clerks fees	45	80		
	Solicitor	20	00		
	Sheriff Sudler			76	$\frac{2}{3}$
	Story	1	60		
	J. Palmer Com. to take testimony	4	10		
	M. Brown Jr. Clerk	2	66 $\frac{2}{3}$		
	J. P. Story Shff.	66	$\frac{2}{3}$		
	S. Brown Witness	66	$\frac{2}{3}$		
	Wm. Purnice Witness	66	$\frac{2}{3}$	8	76 $\frac{2}{3}$
	J. Palmer Commd. to appoint guardian	8	00	84	93
	To the Defendants for their costs viz:				
	Clerks fee	7	85		
	Solicitor	10	00	17	85
	To the Auditor for his fee			4	50
				345	19
	To Wm Bendrix a Brother $\frac{1}{6}$ of Residue			44	52 $\frac{1}{2}$
	To Charles W. Bendrix " " " use of W. H. Beck as per assignment filed			44	52 $\frac{1}{2}$
	To Henry Bendrix a Brother $\frac{1}{6}$ of residue use of James Woodall as per assignment filed			44	52 $\frac{1}{2}$
	To Sarah Losden wife of Joshua Losden a sister $\frac{1}{6}$ &c			44	52 $\frac{1}{2}$
	To Mary Woodall wife of Saml. R. Woodall a sister $\frac{1}{6}$ &c			44	52 $\frac{1}{2}$
	To James Purnice son of a deceased sister $\frac{1}{4}$ of $\frac{1}{6}$			111	31 $\frac{1}{2}$
	To Nathaniel Purnice son " " " "			111	31 $\frac{1}{2}$

To Pere Purnose				
Son of a deceased Sister $\frac{1}{4}$ of $\frac{1}{6}$			111	31 $\frac{5}{6}$
To Sarah Eliza Purnose Daughter of a deceased Sister $\frac{1}{4}$ of $\frac{1}{6}$			111	31 $\frac{5}{6}$
			<u>3016</u>	<u>68</u>

lev.				
1860	By amt. of proceeds of sale of real estate as per Trustee Report			
June 23			3016	68
			<u>3016</u>	<u>68</u>

Whereupon further process of and upon the premises aforesaid is further con-
 tinued by regular continuances from term to term of said court until the
 first Monday of November in the year eighteen hundred and sixty six, on
 which said day comes into court as well the said complainants, as the
 said defendants by their respective Solicitors aforesaid and thereupon the
 complainants by their Solicitor aforesaid direct that the proceedings in
 this cause be discontinued.

John Wesley Walls

vs.

Frances Hewitt, Hester
Hewitt Catherine Hewitt,
Frances Wilson, & Benj-
amin Wilson Jr.

Be it remembered that on the second day of ^{May} in the year Eighteen Hundred and fifty six John W. Walls by book & Hooper his Solicitor filed his Bill of Complaint against Frances Hewitt, Hester Hewitt, Catherine Hewitt, Frances Wilson & Benjamin Wilson Jr. in the words following to wit:

To The Honorable P. B. Hooper Judge of the Circuit Court for Queen Anne's County, sitting as a Court of Equity.

The Bill of Complaint of John Wesley Walls of Queen Anne's County humbly shews, that your orator and Frances Hewitt, Hester Hewitt, Catherine Hewitt, Francis Wilson are seized as tenants in common in fee subject to the widows dower of Elizabeth Walls widow of Edward Walls who was formerly Elizabeth Hewitt widow of John Hewitt, of a tract or parcel of land in Queen Anne's County of aforesaid called and known by the name of the "Pleasant House farm", containing one hundred and thirty acres of land more or less, particularly described in a deed from John Palmer, Trustee to sell the real estate of Benjamin Wiggins, to Nathan Dandraces bearing date the sixth day of November Eighteen Hundred and thirty eight, the one undivided third part belonging to your orator, one sixth of which as vendee of Wm. J. Hewitt and another sixth as vendee of James W. Hewitt, one undivided sixth thereof belonging to Frances Hewitt, one undivided sixth belonging to Hester Hewitt, one undivided sixth belonging to Catherine Hewitt and the remaining undivided sixth belonging to Frances Wilson subject to the curtesy right of Benjamin Wilson Jr. her father. And your orator further charges, that it will be for the interest and advantage of all the said parties, your orator, Frances Hewitt, Hester Hewitt, Catherine Hewitt, Frances Wilson and Benjamin Wilson, to sell the aforesaid lands, and to divide the proceeds thereof between the parties, in the proportions before stated, But that the said Frances, Hester, Catherine and Frances Wilson are infants under the age of twenty one years, and your orator is therefore advised, that a sale thereof cannot be had without the assistance of this Court.

To the end therefore that the said Frances Hewitt, Hester Hewitt, Catherine Hewitt, Frances Wilson and Benjamin Wilson Jr. may answer the premises, and that a decree may be passed for a sale of the aforesaid land, and the proceeds of sale be distributed between the said parties and your orator in the proportions hereinbefore stated, and that your orator may have such further or other relief as his case may require.

May it please your Honor to grant unto your orator the writ of Subpoena against the said Frances Hewitt, Hester Hewitt, Catherine Hewitt, Frances Wilson and Benjamin Wilson Jr. of Queen Anne's County commanding them to appear in this Court at some certain day to be therein named to answer the premises and abide by and perform such decree as may be passed therein, and as in duty &c

Book & Hooper, Sol^r for complainants

Whereupon Subpoena was issued in the form following, to wit:

The State of Maryland, ss. Queen Anne's County, to wit: To Frances Hewitt, Hester Hewitt, Catherine Hewitt, Frances Wilson and Benjamin Wilson late of Queen Anne's County greeting: you are

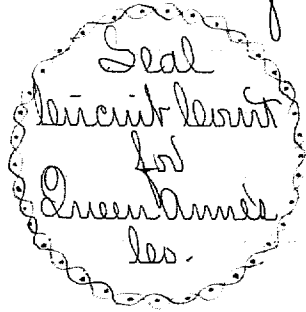


Hereby commanded to be and appear before the leucuit court for Queen Anne's County to be held at Centerville in and for said County on the first Monday of May, next, as a court of Chancery, to answer the Bill of Complaint lately filed in said court against them by John W. Walls. Hereof fail not as you will answer the contrary at your peril: Witness the Honorable Philemon B. Hoopes Esquire Judge of the said Chancery court the 24th day of January in the year eighteen hundred and fifty six
 Issued the 2^d May 1856. John Palmer, Clerk.

Whereupon further process of and upon the premises aforesaid, is further continued until the first Monday of May next: at which said first Monday of May in the year eighteen hundred and fifty six, Alfred W. Duhamel the Sheriff of Queen Anne's County, makes return of the afore recited Subpoena thus endorsed to wit: Sum^d. Frances Hewitt, Catherine Hewitt, Frances Wilson and Benja Wilson Jr. Honest Heester Hewitt
 A. W. Duhamel, Shff.

And thereupon Frances Hewitt, Catherine Hewitt, & Frances Wilson appear in court here and being infants under the age of twenty one years, the court appoints Edward Walls their Guardian to answer and defend for them. Whereupon Subpoena was renewed for Heester Hewitt in the form and words following to wit:

The State of Maryland, Queen Anne's County to wit: To Heester of Hewitt^{et al} of Queen Anne's County greeting: You are hereby commanded to be and appear before the leucuit court for Queen Anne's County to be held at Centerville, as a court of Equity on the fourth Monday of July next, to answer the Bill of Complaint filed in said court against you and others, by John W. Walls hereof fail not as you will answer the contrary at your peril: Witness the Honorable Philemon B. Hoopes Esquire Judge of the said court the fifth day of May in the year eighteen hundred & fifty six.
 Issued the 22^d day July 1856. John Palmer, Clerk.



Whereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of July next at which said fourth Monday of July in the year eighteen hundred and fifty six comes into court here the said Alfred W. Duhamel Sheriff of Queen Anne's County aforesaid and makes return of the afore recited Subpoena thus endorsed to wit:
 Summoned
 A. W. Duhamel, Shff.

Thereupon further process of and upon the premises aforesaid is further continued by regular continuances from term to term of said court until the first Monday of May in the year eighteen hundred and sixty five at which said day comes into court here as well the said John Wesley Walls by look^{and} Hoopes his solicitors. And thereupon James Anderson and Mary Ann his wife and W. W. Walls files in court here their petition in the words following to wit:
 J. W. Walls }
 Hoopes }
 Frances Hewitt & others }
 To the Hon^{ble} J. M. Robinson Judge of the leucuit court for Queen Anne's County.
 In the leucuit court for Queen Anne's County sitting as a court of Equity.

The petition of James Anderson and Mary Ann his wife and of W. W. Wallle respectfully represente that since the filing of the original bill in this cause the complainant John W. Wallle had departed this life leaving a widow Hester W. now the wife of Nathan B. Benton and your petitioners Mary Ann Anderson and W. W. Wallle and Samuel H. Wallle, Sarah C. Wallle and Martha C. Wallle his heirs at law, (the three last of whom are minors,) upon whom his interest in the real estate mentioned in the proceedings has devolved. They further make known, that Hester Hewitt has also departed this life leaving Frances Hewitt now Frances Wilson wife of R. Wilson Jr, Catherine C. Wallle formerly Hewitt wife of Thomas H. Wallle, Frances Wilson daughter of Benjamin Wilson and James H. Hewitt her heirs at law upon whom ^{her} interest in said real estate is now devolved, and all of whom are parties defendants to this cause except Thomas H. Wallle and James H. Hewitt, and that the said James H. Hewitt since the death of the said Hester has also departed this life leaving a widow Emily J. now intermarried with Ezekeil L. Sparks and leaving as his heirs at law the said Frances Wilson wife of R. Wilson Jr, Catherine C. Wallle wife of Thomas H. Wallle and Frances Wilson daughter of the said R. Wilson who are equally entitled to his portion of said real estate. Your petitioners further make known that Catherine C. Wallle formerly Catherine C. Hewitt has arrived to the age of twenty one years since the filing of said Bill of Complaint, so also Frances W. Hewitt now Frances W. Wilson, your petitioners therefore pray that the in behalf of themselves and as next friends of the said Samuel H. Wallle, Sarah C. Wallle and Martha C. Wallle may be permitted to come in and be made parties complainants in this cause and have further proceedings therein, and that the said Thomas H. Wallle husband of the said Catherine C. may be allowed to come in as codefendant with his wife and answer and defend with his said Wife. And as in duty bound &c

P. B. Hoopfer, for Petitioners,

Maryland, Queen Anne's County to wit:

On the 9th day of May in the year eighteen Hundred and sixty five before me the subscribed a Justice of the Peace of the State of Maryland in and for Queen Anne's County personally appeared Wm. W. Johnson and made oath that the facts set forth in the foregoing petition are true to the best of his knowledge and belief-

Jno. H. Rowleson

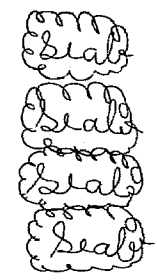
To the Hon J. M. Robinson Judge of the Circuit Court for Queen Anne's County sitting as a Court of Equity.

The undersigned consent that in the case of John W. Wallle vs Frances Hewitt & others that new parties may be made as suggested by the petition of James Anderson, Mary Ann Anderson & W. W. Wallle, by making them and the other heirs at law of John W. Wallle complainants in the place of the said John W. Wallle, deceased and by making Thomas H. Wallle a codefendant with the other defendants in this cause.

Witness:

Joseph C. Wilson

Benjamin Wilson Jr.
 Frances W. Wilson
 Thomas H. Wallle
 Catherine C. Wallle



And thereupon the court passed the following order to wit:

Upon the foregoing petition it is ordered and adjudged that James Anderson, Mary Ann Anderson & W. W. Walls for themselves and as next friends of Samuel B. Walls, Sarah B. Walls and Martha C. Walls be made complainants in the cause referred to in said petition in the place of John W. Walls, deceased, and also that Thomas B. Walls be allowed to come in as co-defendant with his wife Catherine B. Walls and others and be a party to said cause-

Jno. M. Robinson

Thereupon Benjamin Wilson Jr. & Frances A. Wilson his wife file in court here their answer to the above recited bill of complaint in the words following, to wit:

The Answer of Benjamin Wilson Jr. & Francis A. his wife formerly Frances A. Hewitt to the Bill of complaint of John W. Walls in the Circuit Court of Queen Anne's County in Equity exhibited.

These defendants admit the several matters & things alleged in Bill of complainant & submit to such decree in the premises as may be right. And as to

Benjamin Wilson Jr.
Frances A. Wilson

Thereupon the complainant by his solicitor, suggests the death Edward Walls Guardian for the Infants aforesaid, and thereupon the court appoints Benjamin Wilson Jr. Guardian to answer and defend for said infants.

And thereupon Thomas B. Walls and Catherine B. Walls his wife by Lloyd Talghman Esq. their Solicitor files in court here their answer to the above recited Bill of complaint, in the words following to wit:

The joint and separate answer of Thomas B. Walls and Catherine B. Walls his wife to the Bill of complaint of Mary A. Anderson, W. W. Walls and others heirs at law of John W. Walls against them and others exhibited in the Circuit Court of Queen Anne's County sitting as a Court of Equity

These Defendants admit the several matters and things alleged in said Bill of complaint and are willing that the real estate mentioned in the proceedings be sold, and free of any curtesy right of the said Thomas B. Walls

They submit to such decree in the premises as may be right and proper.

Witness:

Benj. Wilson Jr.

Thomas B. Walls.
Catherine B. Walls.

And thereupon Frances Wilson by Benjamin Wilson Jr. her Guardian files in court here her answer to the above recited Bill of complaint, in the words following to wit:

The answer of Frances Wilson by Benjamin Wilson Jr. her Guardian, being an infant under the age of twenty one years, to the bill of complaint of Mary A. Anderson & others heirs at law of John W. Walls against her and others in the Circuit Court of Queen Anne's County, exhibited.

This Defendant cannot admit any of the matters and things alleged in the said bill, and being an infant of tender years submits her rights to the protection of this Court

Benjamin Wilson Jr.

On this ninth day of May in the year Eighteen Hundred and sixty five before

Sarah b. Walls & Martha E. Walls. Complainants, and Frances Wilson, Thomas H. Walls, Catherine b. Walls his wife. Frances Wilson and Benjamin Wilson. Respondents. You are therefore hereby required, having first taken the oaths here-to annexed, and also administered the annexed oaths, to the person whom you shall appoint as clerk to attend the execution of this commission that at such time and place as to you shall seem convenient you cause to come before you all such evidences as shall be named and produced to you by either the complainants or Respondents, and that you examine them on their several Oaths to be by you administered upon the Holy Evangelists of Almighty God. touching their knowledge or remembrance of any thing that may relate to the cause aforesaid. and that you cause notice to be given to the parties or their solicitors of the execution of this commission, before you execute the same: and having reduced the depositions of the witnesses, so taken by you into writing. you send the same with this commission, closed under your hand and seal to the said Circuit Court with all convenient speed: Witness the Honorable John M. Robinson Judge of the said Court the first day of May 1865.

Spued May 11th 1865

Samuel E. Dyott, Clerk,

Commissioners Oaths.

You James Wooters. Shall according to the best of your skill and knowledge, truly, faithfully, and without partiality to any or either of the parties in this cause, take the examinations and depositions, of all and every the witnesses produced and examined, by virtue of the commission hereto annexed, upon the interrogatories, now or which may hereafter before the said commission is closed, be produced to and left with you by either of the said parties: So help you God.

Sworn before

Jno. H. Knolensom J. P.

Clerks Oaths.

You. x x x x x x x x Shall truly, faithfully, and without partiality, to any or either of the parties in this cause, take, write down, and transcribe, the depositions of all and every the witnesses, produced before, and examined by the Commissioners named in the commission hereto annexed, as far forth as you are directed and employed by the said Commissioners, to take, write down, and transcribe the said depositions or any of them. So help you God.

And thereupon James Wooters require, the Commissioners named in the foregoing commission, makes return of the execution thereof in the manner and form following, to wit:

Mary W. Anderson & others heirs	3	In the Civ. Court for C. W. Co. sitting as a Court of Equity:
& representatives of J. H. Walls	3	
Benjamin Wilson Frances Wilson & others	3	

Interrogatories to be proposed to the witnesses produced on the part of the complainants.

- No. 1. Are you or not acquainted with the parties to this cause or which of them and how long have you known them?
- No. 2. Do you know the real estate mentioned in the Bill of Complaint, if you state, what you estimate to be its value?

No. 3. Do you or not think that it will be to the interest and advantage of all the parties to sell the said real estate, and divide the proceeds of sales according to their just proportions: if so, state the reasons of your opinion:

J. B. Hooper Soli, for Complt.

To the Honorable John M. Robinson, Judge of the Circuit Court for Queen Anne's County.

At the execution of the annexed Commission, issued out of the Circuit Court for Queen Anne's County and to me directed, empowering me to examine evidences in a cause depending in the said Court wherein James Anderson and others next friends of Samuel G. Stalle and others are Complainants, and Francis Wilson and others are Respondents, J. James Woote, Commissioner therein named, having taken the Oath annexed to said Commission, did, at Centerville, on the eleventh day of May 1865, the usual notice being waived by the respective Solicitors, take the following depositions.

William A. Johnson a witness of lawful age, produced and examined on the part of the Complainants, being duly sworn and says.

To the first interrogatory, he knows all the parties, and has known them for a number of years.

To the second interrogatory, he knows the said real estate, and supposes it to be worth one thousand or twelve hundred dollars.

To the third interrogatory, he thinks it would be to the interest and advantage of all the parties to sell the said real estate, and divide the proceeds of sales according to their just proportions, because the land is fast constantly becoming more so. The buildings are not sufficient for the use of the farm and would require a considerable sum to place them in good condition and the rents of the land are not sufficient to repair them and the interest on the purchase money would in the end, pay them better than the annual rent deducting taxes &c.

W. A. Johnson.

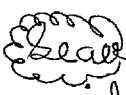
Mordecai Price a witness of lawful age, produced and examined on the part of the Complainants, being duly sworn, deposes and says, To the first interrogatory, he knows the parties and has known them for several years.

To the second interrogatory, he knows the said real estate and estimates it to be worth seven or eight dollars per acre.

To the third interrogatory, he says that having heard the answer of William A. Johnson to this interrogatory, Witness admits said answer as his.

Mordecai Price

There being no other witnesses to be examined, and neither party desiring further time for the production of evidence, the Commissioner closed the said Commission and herewith returns the same under his hand and Seal this eleventh day of May 1865.

James Woote, 
Commissioner

Costs

Commissioner \$ 4.10
 Witnesses Make no charge.

Whereupon the following agreement was filed to wit:

James Anderson & others	}	In the Circuit Court for Queen Anne's County Sitting as a Court of Equity.
vs		
Frances Wilson & others	}	

It is agreed that the proceedings in this cause be submitted to the Court without argument for decree.

P. B. Hopper, Sol. for Complainter,
 Lloyd Pilghman Sol. for Defs.

Whereupon the Court passed the following Decree, to wit:

James Anderson & others	}	In the Circuit Court for Queen Anne's County, sitting as a Court of Equity.
vs		
Frances Wilson & others	}	

This cause standing ready for hearing and being submitted without argument the proceedings were read and considered. It is therefore this 28th day of June in the year eighteen hundred and sixty five by John M. Robinson Judge and by the authority of this Court, adjudged, ordered and decreed, that the real estate in the proceedings mentioned be sold for the purpose set forth in Bill of Complaint. That P. B. Hopper of Queen Anne's County be and he is hereby appointed to make such sale, and that the course and manner of his proceeding shall be as follows: He shall first file with the clerk of this Court, a bond to the state of Maryland, executed by himself with a surety or sureties to be approved by this Court or the clerk thereof in the penalty of Twenty five hundred 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 given first at least three weeks previous notice inserted in some newspaper printed in Queen Anne's 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. Two hundred Dollars cash on the day of sale, and the balance of purchase money to be paid in equal instalments in six and twelve months from the day of sale, the deferred payments to bear interest from the day of sale, and the payment thereof to be secured by the bonds of the purchaser with a surety or sureties to be approved by the Court.

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 this 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 their heirs, the property to him, her or them sold, free and clear and discharged of all claim of the parties to this cause, and of any person or persons claiming by from or under them or any of them, and also be sold free and clear of the duties

interest of Hester W. Brenton formerly Hester W. Walls widow of John W. Walls and of Emily J. Sparks formerly J. Hewitt widow of James H. Hewitt, they having filed their agreement that the land may be sold free of their dower and they to receive such sums as this court shall award in lieu thereof, 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 directions of this court after deducting therefrom the costs of this suit and such commission to the said Trustee as this court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

Jno. M. Robinson

Thereupon further process of and upon the premises aforesaid, is further continued until the fourth Monday of July next at which said fourth Monday of July in the year Eighteen Hundred and sixty five, comes into court here as well the said James Anderson & others by P. B. Hoopfer Esquire their Solicitor, and the said Frances Wilson & others by Lloyd Polghman Esq. their Solicitor, And thereupon P. B. Hoopfer Esq. the Trustee named in the above recited Decree, files in court his Bond in the words following to wit:

Know all men by these presents that we Philemon B. Hoopfer and Joseph K. Look of Queen Anne's County in the state of Maryland are held and firmly bound unto the state of Maryland in the full and just sum of Twenty five Hundred dollars current money to be paid to the said state of Maryland or its certain attorney; to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors and administrators jointly and severally finally by these presents sealed with our seals and dated this 29th day of July Eighteen Hundred and sixty five,

Whereas by a decree of the Circuit Court for Queen Anne's County sitting as a court of Equity bearing date the twenty eighth day of June of the present year and passed in a cause in said court, wherein James Anderson and others were complainants and Frances Wilson & others were defendants, the above bound P. B. Hoopfer was appointed Trustee to make sale of certain real estate in the proceedings in said cause mentioned,

Now the condition of the above obligation is such, that if the above bound P. B. Hoopfer do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future order or decree in the premises, then the above obligation to be void, otherwise to remain in full force and virtue in law.

Signed, sealed and delivered }
in the presence of }
Lehad. M. F. Thompson }

P. B. Hoopfer
Jos. K. Look



And on the back of the foregoing Bond. was thus endorsed to wit:
Bond approved & filed August 8th 1865.

Saml. E. Dyott, clerk,

And afterwards to wit: on the 15th day of August Eighteen Hundred and sixty five, P. B. Hopper Esq. The Trustee named in the afore recited Decree, files in Court here his Report of Sales in the words following to wit:

James Anderson & others	}	In the Circuit Court for Queen Anne's County,
Es.		
Frances Wilson & others	}	Sitting as a Court of Equity.

To The Hon. J. M. Robinson Judge of the Circuit Court for Queen Anne's County.

The report of P. B. Hopper Trustee appointed by the decree in this cause to make sale of certain real estate therein mentioned, shows; that after giving notice of the time, place, manner and terms of sale by advertisement in the "Maryland Sentinel" and "The Observer" two papers printed in Centerville Queen Anne's County for more than three successive weeks before the day of sale, he did pursuant to the said notice attend in front of Mr. John F. Wilson's Store in Beavers Dams on Saturday the 29th day of July 1865 between the hours of 12. M. & 3 o'clock P. M. and then and there proceeded to sell the said real estate as follows,

Your trustee offered all that farm or tract of land called the "Pommet^{House} farm" situate about two miles from Beavers Dams and adjoining the lands of James Merrick and S. H. Beatty &c containing one Hundred and thirty acres more or less, at public sale to the highest bidder, and sold the same to Arthur Rochester, he being the highest bidder therefor for and at the price of ten dollars and seventy five cents per acre, making the whole purchase money to be thirteen Hundred and ninety seven Dollars and fifty cents and having received from the said purchaser the sum of Two hundred Dollars in cash, he took his bond for the balance of the said purchase money to be paid in two equal instalments in six and twelve months with interest from the day of sale as prescribed by the said decree with James Merrick & Ezekiel Merrick securities -

All of which is respectfully submitted

P. B. Hopper, Trustee.

State of Maryland, Queen Anne's County to wit:

On this 15th day of August in the year Eighteen Hundred and sixty five before the subscribed a Justice of the Peace of the State of Maryland in and for said County personally appeared the within named P. B. Hopper Trustee and made oath that the matters and things stated in the foregoing report are true to the best of his knowledge and belief and that the sale therein reported were fairly made.

Robt. C. Raynard J. P.

And thereupon the Court passed the following Order, to wit:

James Anderson & others	}	In his Court for Queen Anne's County sitting
Es.		
Frances Wilson & others	}	as a Court of Equity.

Ordered that the sale made and reported by P. B. Hopper Trustee for the sale of the real estate mentioned in the proceedings of the above named cause, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the sixth day of November next provided a copy of this order be inserted in some paper printed at Centerville Queen Anne's County once in each of three successive weeks before the tenth day of October next.

The Report stated the amount of Sales to be \$ 1397. 50

Samuel E. Dyott, Clerk.

Whereupon further process of and upon the premises aforesaid is further continued by regular continuances from term to term of said court until first Monday of November in the year Eighteen Hundred and sixty six, on which said day came into court here as well James Anderson & others by Philemon P. Hoopfer Esq. their solicitors, and the said Frances Wilson & others by Lloyd Trilghman Esq. their solicitors, and thereupon the court passed the following order to wit:

Ordered this 19th day of November 1866. That the sale within aforesaid be and the same is hereby ratified and confirmed, no cause to the contrary thereof having been shown, though notice appears to have been given as directed by the preceding order. The Trustee is allowed his commission according to the scale adopted by this court and his expenses not pecuniary.
Jno. M. Robinson

Whereupon Philemon P. Hoopfer Esq. the Auditor of said Court files in court here his report, in the manner and form following to wit:

John B. Wallis }
vs } No 44 chancery in his court for
Frances Hewitt & others } Queen Anne's County

To the Hon. J. M. Robinson Judge -

The Auditor respectfully reports that he has examined the proceedings in this cause and has therefrom prepared the following account between the real estate mentioned in the proceedings and P. P. Hoopfer Trustee for the sale thereof, in which he has allowed to the Trustee his commission and expenses, to the complainants and defendants each their costs of suit and to the auditor his fee, which left the sum of \$1197.75 to be divided among the parties entitled thereto according to the Bill of Complaint and the petition suggesting the death of some of the original parties and making new parties - The amount assigned to Frances Wilson wife of Benj. Wilson Jr. is made up of 1/6 of the whole net proceeds as an original heir, 1/4 of 1/6 as heir at law of Robert Hewitt an original heir and of the 1/3 of 1/4 of 1/6 as an heir at law of Jas. B. Hewitt (who inherited 1/4 of Bessie) having first taken out the dower interest of E. J. Sparke his relict, The amount assigned to Catherine B. Wallis is made up in the same way, as also that of Frances Wilson daughter of P. Wilson Jr. whose share was less than others because of her father's courtesy right in her original share as heir at law of her mother. The dowers assigned were according to the scale adopted by Baltimore County Court and which suits the charge made by law in the allowance of dower, affidavits being filed of their ages and conditions of health, the courtesy right of P. Wilson Jr. was ascertained by reference to an affidavit filed in court of his age and health and the scale suitable to the case, The auditor assigned to J. B. Wallis 1/3 of the whole, one sixth being to him as vendee of W. J. Hewitt, and the other sixths as vendee of Jas. B. Hewitt. Before dividing this amount to the heirs and widow of J. B. Wallis the auditor has deducted the balance due on the note of the said J. B. Wallis to the said Wm. J. Hewitt use Ed Pittman, the note being for the purchase money of the said sixth purchased of Wm. J. Hewitt as shown upon its face.

All of which is submitted -

P. P. Hoopfer, Auditor
Oct. 30. 1866.

D^r The Real Estate of the Heirs of J. B. Wallé of Frances Wilem

1865					
July 29	To the Trustee for his commission as executor of court			96	35
	To the Trustee for his expenses as executor			22	50
	To the complainants for their costs of suit viz:				
	Solicitor	20	00		
	M. Brown late clerk	8	10		
	J. Moore "		40		
	S. C. Dyott clerk	19	15		
	James Moore commr.	4	10		
	W. W. Duhamel, Shff	2	25	54	00
	To the Defendants for their costs of suit viz:				
	Solicitor	10	00		
	M. Brown late clerk	10	00		
	S. C. Dyott clerk	2	40	22	40
	To the Auditor			4	50
	To Frances Wilem wife of Ben Wilem Jr.			263	79
	To Catherine B. Wallé wife of Thomas B. Wallé			263	79
	To Frances Wilem daughter of Ben Wilem Jr.	263	79		
	Less the curtesy right of her father in that portion } which descended from her mother	62	35	201	44
	To Benjamin Wilem for his curtesy right			62	35
	To Emily J. Sparks formerly widow of Jas B. Hewitt } for her dower in 1/4 of 1/6 of nett proceeds			7	13
	To the Heirs of J. B. Wallé to be divided as hereinafter } stated this amount being 1/3 of nett proceeds	399	25		
	Less this amount for balance due on his note for } purchase money of Mrs J. Hewitt used Pittman	96	26		
	Amounts carried up.	302	99	998	25
	To Amount brought up	302	99	998	25
	To Beulah W. Benton, wife of Z. P. Benton and } widow formerly of J. B. Wallé			40	40
	To Mary Ann Anderson wife of Jas. Anderson, a } Daughter of J. B. Wallé			52	51 1/5
	To W. B. Wallé son of J. B. Wallé			52	51 1/5
	To Samuel B. Wallé son of same			52	51 1/5
	To Sarah B. Wallé daughter of same			52	51 1/5
	To Martha C. Wallé daughter of same			52	51 1/5
	To Edward Pittman assignee of W. J. Hewitt } for balance of purchase money as per note } proved and filed and deducted from the } share of J. B. Wallé.			96	26
				1397	50

of them in acct with P. B. Hopper Trustee for the Sale thereof.

Cr.

1865 July 29	By amount of proceeds of Sale as per: Trustee } Report of same filed }	1397	50
		<u>1397</u>	<u>50.</u>

P. B. Hopper, Auditor,
October 30, 1866.

And afterwards, to wit: On the 19th day of November Eighteen Hundred and sixty six that the within Auditors account be ratified and confirmed no cause to the contrary thereof having been shown and the Trustee is directed to pay accordingly with a due proportion of interest received to said allowances therein contained -

Jno. M. Robinson.

Sarah E. Bryan
vs
John B. Brown and
Fannie K. Brown
formerly
Fannie K. Bryan

Be it remembered that on this 18th day of July in the year Eighteen Hundred and sixty four, Sarah E. Bryan by Thomas I. Keating Esquire her Solicitor filed in Court here her Bill of Complaint against John B. Brown and Fannie K. Brown formerly Fannie K. Bryan in the manner and form following to wit:

To the Honorable James B. Ricard, Esquire, Judge of the Circuit Court for Queen Anne's County.

The Bill of Complaint of Sarah E. Bryan of Queen Anne's County to your Honor humbly shews, that John B. Bryan late of said County departed this life sometime during the year eighteen hundred and fifty three, having first duly made and executed his last will and testament as to his real estate: that he thereby appointed William S. Bryan his executor and empowered him to sell so much of his real estate as should be necessary to pay his debts after first applying to that purpose the proceeds of the crops of grain on hand or growing at the time of his death: that said William S. Bryan renounced the execution of the will and that letters of administration with the will annexed were committed unto your Oratrix by the Orphans Court of Queen Anne's County on the fourteenth day of June 1853, all of which will more fully appear by "Exhibit A." a copy of said Will, "Exhibit B." a copy of said renunciation and "Exhibit C." a copy of grant of letters of Administration of said herewith filed as parts of this Bill. Your Oratrix further states that besides being the administratrix C. J. A. of John B. Bryan, she is also his widow and as such accepted the provisions in the will in her behalf in lieu of her legal rights thereto: that he also left surviving him one child and heir at law, a daughter of your Oratrix, named Fannie K. Bryan, who has since intermarried with John B. Brown and who together with her husband resides in Queen Anne's County: that your Oratrix as admx. has applied not only the crops on hand and growing at the time of the death of the testator but all other personal property, negroes excepted to the payment of the debts and costs of administration and also the sum of Five thousand seven hundred and thirty cents the proceeds of sales of real estate sold by your Oratrix to sundry persons under the supposed powers conferred by the will and that there still remains unpaid debts to a large amount: that the balance appearing due the estate by your Oratrix's third account of administration passed on as per certificate of Reg. of Wills marked "Exhibit D" herewith filed will appear: the 16th day of October 1860. is \$3653.76, that said balance is more nominal than real because the appraised value of the negroes for which no allowance has been made amounts to the sum of \$3850.00 as per "Exhibit E," herewith filed as part of this Bill will appear: that several of said negroes have since the appraisement and others have absconded or enlisted into the service of the Federal Government and tho' several children have been born since the granting letters of administration, they are all in fact without any marketable value and are likely to continue so to be and that if the value of said negroes be stricken from the third administration account there would appear to be an overpayment by your Oratrix above all debts real and personal which have come to her hands the sum of \$196.24: that in consequence of the renunciation aforesaid of William S. Bryan the executor named in said Will, doubts are entertained as to whether your Oratrix by virtue of the grant of letters with the will annexed to her is invested with the authority to sell and convey the real estate of the testator and whether she can by her deed pass a good title to those parts already sold with the aid of this Court:

that your Oratrix sold to John R. Griffin 142 acres and 24 perches at \$30. per acre making the gross amount of said sale \$4264.50; to William B. Walters 6 acres and thirty two perches for the gross sum of \$420.00; to Mary B. Merchant 1 acre 3 rods and thirty five perches for the gross sum of \$98.43 and to Richard J. Larimore 1 acre 2 rods and 10 perches at \$150. per acre making the gross amount of said last named sale to be \$234.37 1/2; that she conveyed to William B. Walters the land sold to him by deed dated February 17th 1860. to Mary B. Merchant the land sold to her by deed dated April 22^d 1862 and to John R. Griffin the land sold to him by deed dated July 15th 1862, all of which said deeds have been duly recorded among the land records of Queen Anne's County, but that no deed has yet passed to Richard J. Larimore for the land sold to him and that there still remains unsold about 292 acres of the real estate of which the said John B. Bryan died seized being part of a tract called Sportsman's Ball situate in Queen Anne's County and constituting one farm which cannot be divided to advantage: that your Oratrix is advised that it is competent for this Court to pass a decree to sell and convey the real estate still unsold in execution of the powers contained in said last will and testament and confirming the sales and conveyances made as aforesaid to W^m B. Walters, Mary B. Merchant and John R. Griffin and also the sale made to Richard J. Larimore and authorizing your Oratrix to execute a conveyance of the land so sold to him, To the end therefore that a decree may be passed as prayed and for such other and further relief as may be requested in the premises,

May it please your honor to grant unto your Oratrix the States writ of Subpoena against the said John B. Bryan and Fannie K. Brown his wife, formerly Fannie R. Bryan of Queen Anne's County, commanding them to be and appear in this Court at some certain day to be named therein to answer the premises and abide by and perform such Decree as may be passed therein and as in duty bound your Oratrix will ever pray to

Thomas J. Keating
Sol^r for complainant

The Exhibit A, referred to in the foregoing Bill of Complaint is in the words following to wit:

I, John B. Bryan, being desirous for the settlement of my worldly affairs, do make my will and Testament, as follows:-

I give to my wife, Sarah C. Bryan, all the house and kitchen furniture and farming implements belonging to me at the time of my death. -

I give her also all the rest of my estate real and personal that may belong to me, or to which I may be entitled, at the time of my death, with the use and profits thereof, during her widowhood; and in case of her marriage, then it is my wish that an inventory should be made of all the personal estate now bequeathed her, excepting the furniture and farming implements, together with the increase thereof, and that she shall be entitled to one third of the same, and to one third of the annual rent or profits of my real estate from the time of her marriage. -

I appoint my wife the guardian of my children and as the expense of supporting and educating them shall be defrayed out of the property now bequeathed to her, it is my especial desire that during her widowhood, she shall not be required to give a bond for the discharge of

his duties, as Guardian, or to return accounts of Guardianship of any kind to the Orphans Court. -

And it is my wish that the crops of grain on hand or growing at the time of my death, shall be sold by my executor and applied to the payment of my debts and funeral expenses and that all the rest of my personal estate shall immediately pass into the possession of my wife. -

And I appoint my brother, William S. Bryan, the executor of my will, and invest him with full power to satisfy any just debts that may be standing against me, by first applying to that purpose the proceeds of the crops of grain, as before mentioned, and then selling as much of my real estate as may be necessary to discharge the balance. -

In Testimony whereof, I have hereto set my hand and affixed my seal this * * * * day of * * * * in the year of our Lord eighteen hundred and fifty.

John S. Bryan

Signed, sealed, published and declared by John S. Bryan, the above named Testator, as his last will and Testament, in the presence of me, at his request, and in his presence, and in the presence of each other, have subscribed our names, as witnesses thereto. -

Anna C. Hampton

Sarah Ann Dadds

John W. Dadds

Test: John R. H. Lambert

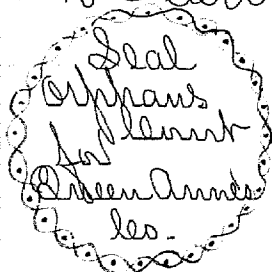
Queen Anne's County, Sch: 3
June 14th 1853
Then came John W. Dadds one of the subscribing witnesses to the foregoing will, and made oath on the Holy Evangelical of Almighty God, that he did see John S. Bryan, sign his name to the same that heard him publish, declare and publish the same to be his last Will and Testament, and that he, to the best of his apprehension, of sound and disposing mind, memory and understanding at the time, that he saw Ann C. Hampton Sarah Ann Dadds and John R. H. Lambert sign their names, as witnesses to the same, in the presence of each other, and in the presence of the Testator, and at his request: -

Saml. J. Harrison Reg. Wills for Queen Anne's County.

Queen Anne's County, Sch: 3
June 14th 1853
Then came Sarah C. Bryan and made oath on the Holy Evangelical of Almighty God, that the foregoing is the whole and only last will and Testament of John S. Bryan, late of Queen Anne's County, deceased, that has come to her hands and possession, and that, she does not know of any other. -

Saml. J. Harrison Reg. Wills for Queen Anne's County.

In Testimony that the foregoing is truly copied from the original now on file in my Office, I have hereunto set my mo and affixed my official seal, this 7th day of June 1864.

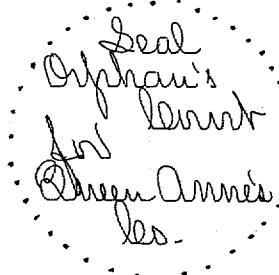


W. A. Johnson, Reg. Wills for Queen Anne's Co.

The "Exhibit B." referred to in the foregoing Bill of Complaint, is in the words following to wit:

Honble. the Orphans Court of Queen Anne's County,
 I hereby renounce all my right to the executorship of
 John b. Bryan, late of Queen Anne's County, dec'd.
 June 14th 1853
 Test: Tho. Ashcom
 William I. Bryan

In Testimony that the foregoing is truly copied from the Original -
 and on file in my Office, I have hereunto set my name
 and affixed my official seal, this 7th day of
 July 1864.

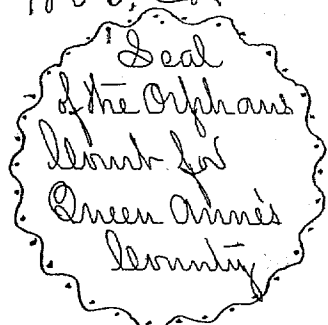


W. A. Johnson, Reg. Wills
 for Queen Anne's County

The "Exhibit b." referred to in the foregoing Bill of Complaint, is in the words following, to wit:

Queen Anne's County, to wit: -
 I do hereby certify to all persons, whom it doth, or may concern,
 that Sarah C. Bryan obtained Letters of administration, b. t. A., on the
 estate of John b. Bryan, late of Queen Anne's County, deceased, on the 14th June
 1853.

In Testimony whereof I have hereunto set my
 name, and affixed my Official, * * * * this 7th of
 July 1864.

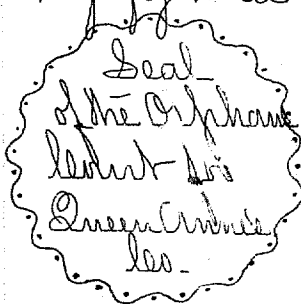


W. A. Johnson
 Reg. Wills. -

The "Exhibit D." referred to in the foregoing Bill of Complaint is in the words following to wit:

Queen Anne's County, to wit:
 I do hereby certify to all persons whom it doth, or may concern,
 that the balance due the estate of John b. Bryan, late of Queen Anne's County,
 deceased, as appears by his administration account, settled on the 16th day
 of Oct. 1863, and now on file in this office, is three thousand, six hundred
 & fifty three dolls, and seventy six cents. (\$3653.76). -

In Testimony whereof I have hereunto set my name,
 and affixed my official seal, this 7th day
 of July 1864. -



W. A. Johnson, Reg. Wills
 for Queen Anne's County.

The "Exhibit E." referred to in the foregoing Bill of Complaint, is in the words following to wit:

One Negro Man	Peter	-	-	100.00
do.	do.	Polandore		400.00
do.	do.	Alexander		600.00
One Boy	Alfred			400.00
do.	do.	lecharles		400.00
do.	do.	Isac (afflicted)		25.00
do.	do.	Richard		150.00
do.	do.	Stanley		75.00
One Negro Woman	Sarah			200.00

One Negro Woman	Henrietta	300.00
"	"	350.00
"	"	350.00
"	"	150.00
"	"	125.00
"	"	100.00
"	"	75.00
"	"	50.00

In Testimony that the foregoing is true and correct List of the negroes, with their appraised value returned in the Inventory of the personal estate of John B. Bryan, late of Queen Anne's County, dec'd. I have hereunto set my name, and affixed my official seal, this 7th day of July 1864.

Seal of the Orphans Court for Queen Anne's County
 W.S. Stamp Five cents

W. W. Johnson, Reg. Wills for Queen Anne's County.

Whereupon Subpoena to lie was issued in the usual form And thereupon John B. Brown and Fannie K. Brown his wife, formerly Fannie K. Bryan, voluntarily appear in said court and answer to the bill of complaint in the manner & words following to wit:

Sarah E. Bryan
 vs.
 John B. Brown & Fannie K. Brown, his wife, formerly Fannie K. Bryan.

In Circuit Court for Queen Anne's County in Equity.

To the Honorable James B. Ricard, Judge of the Circuit Court for Queen Anne's County in Equity.

The joint answer of John B. Brown and Fannie K. Brown, his wife, formerly Fannie K. Bryan to the Bill of complaint of Sallie E. Bryan against them in Circuit Court for Queen Anne's County in Equity exhibited.

These Defendants admit the several matters and things charged in complainant's bill to be true and submit to a decree as prayed; And as in duty bound &c.

John B. Brown
 Fannie K. Brown

State of Maryland, Queen Anne's County, to wit:

I hereby certify that on this 16th day of July 1864 personally appeared before the subscriber, a Justice of the Peace of the State and County aforesaid John B. Brown and Fannie K. Brown, his wife, formerly Fannie K. Bryan, personally known to me and did each acknowledge the foregoing answer to be their act and to have been signed by them

Jno. B. Rowleson, J. P.

And thereupon the Court passed the following decree, to wit:

Sarah E. Bryan
 vs.
 John B. Brown, Fannie K. Brown his wife, formerly Fannie K. Bryan

In the Circuit Court for Queen Anne's County, in Chancery May Term 1864.

The cause standing ready for hearing and being submitted on the Bill;

answers & exhibits without argument, the proceedings were read and considered, and it appearing to the court that the Defendants have by their answer admitted the allegations and statements in the said Bill contained and that the complainant is entitled to have a decree passed as prayed, It is therefore this eighteenth day of July eighteen hundred and sixty four by the Circuit Court for Queen Anne's County and by the authority thereof adjudged, ordered and decreed that the said Bill of Complaint be and the same is hereby taken, pro confesso, against the said Defendants. It is further ordered, adjudged and decreed that the sale hereof made by Sarah E. Bryan as administratrix with the will annexed of John L. Bryan to John K. Griffin, William H. Walters, Mary B. Merchant and Richard J. Larimore be and the same are hereby respectively ratified and confirmed as fully as if the same had been originally made under the authority and direction of this court and the conveyance made in pursuance thereof to the said John K. Griffin, William H. Walters and Mary B. Merchant respectively be and are hereby declared of full force, effect and validity against the parties to this cause and of all persons who shall or may claim under them or any of them and that the said Sarah E. Bryan be and she is hereby authorized to convey by good and sufficient deed to Richard J. Larimore the real estate in the proceedings mentioned as sold to him, and which deed when acknowledged and recorded agreeably to law shall convey to the said Richard J. Larimore all the title and interest of the parties to this cause and each of them and all claiming or to claim under them or either of them.

And it is further adjudged, ordered and decreed that the residue of the Real Estate called Sportsman Ball in the proceedings mentioned be sold for the payments of the debts of John L. Bryan late of Queen Anne's County and in execution of the proviso contained in the last will and testament of said deceased: that Madison Brown of Queen Anne's County be and is hereby appointed Trustee to make such sale & that the cause and manner of the proceedings shall be as follows: he shall first file in the Office of the Clerk of the Circuit Court for Queen Anne's County a bond to the State of Maryland approved according to law, executed by himself with a surety or sureties, in the penalty of Twenty five thousand dollars conditioned for the faithful performance of the trust reposed in him by this Decree or that may be reposed in him by any future order or decree in the premises. He shall then proceed to make sale of said real estate, having first given at least three weeks previous notice by advertisement in some newspaper printed in Queen Anne's 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, two thousand five hundred dollars of the purchase money to be paid in cash on the day of sale and the residue in three equal instalments of two thousand and six years from the first day of January eighteen hundred and sixty five, and interest annually from said time on the unpaid principal till the whole is paid, to be secured by the bond of the purchaser or purchasers with two or more sureties to be approved by the Trustee. And as soon as convenient after the sale, the Trustee shall return a particular account thereof to this court with an affidavit of the truth and of the fairness of said sale annexed and upon the payment of the whole purchase money and not before the Trustee is authorized to convey to the purchaser or purchasers & his heirs or their heirs and assigns the property to him her or them sold, by good and

sufficient Deed to be acknowledged and recorded according to law, free clear and discharged of all claim of the parties to this cause, and of all persons claiming by, from or under them or any of them.

J. B. Ricard.

And afterwards, to wit: On the 20th day of July in the year eighteen hundred and sixty four, Madam Brown Esq. The Trustee named in the aforesaid Decree files in court here his bond in the form and words following, to wit:

Know all men by these presents that we, Madison Brown, George M. Smith and Joseph B. Watson of Queen Anne's County in the State of Maryland are held and firmly bound unto the State of Maryland in full and just sum of Twenty five thousand Dollars current money to be paid to the said State or its certain attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally.

Know all men by these presents that we, Madison Brown, George M. Smith and Joseph B. Watson of Queen Anne's County in the State of Maryland are held and firmly bound unto the State of Maryland in full and just sum of Twenty five thousand Dollars current money to be paid to the said State or its certain attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors and administrators, jointly and severally. Finally by these presents, sealed with our seals and dated this twentieth day of July eighteen hundred and sixty four, Whereas by a decree of the Circuit Court for Queen Anne's County dated the eighteenth day of July eighteen hundred and sixty four and passed in a cause therein, in which Sarah E. Bryan is Complainant and John B. Brown and Fannie K. Brown, his wife are Defendants, the above bound Madison Brown has been appointed Trustee to make sale of certain Real Estate in the proceedings in said cause mentioned.

Now the condition of the above obligation is such that if the above bound Madison Brown do and shall well and faithfully perform the Trust reposed in him by said decree or that may be reposed in him by any future order or decree in the premises, then the above obligation to be void. Otherwise to remain in full force and virtue in law.

Signed, sealed & delivered in the presence of John B. Brown

Madison Brown
George M. Smith
Joseph B. Watson

Seal
Seal
Seal

On the back of the aforesaid was thus endorsed, to wit:
Security approved and Bond filed July 20th, 1864.

S. E. Dryott, Clerk.

Whereupon further process of and upon the premises aforesaid, is further continued until the fourth Monday of July next: on which said fourth Monday of July in the year eighteen hundred and sixty four, comes into court, as well the said Sarah E. Bryan by her Solicitor aforesaid, and the said John B. Brown and Fannie K. Brown, his wife,

And afterwards on the 21st day of October in the year last aforesaid, Madison Brown Esquire, The Trustee, files in court here his Report of Sales in the words following, to wit:

Sarah E. Bryan } In the Circuit Court for Queen Anne's
John B. Brown & wife } County, - In Chancery.

To the Honorable James B. Ricard, Judge of the Circuit Court for Queen Anne's County.

The Report of Madison Brown, Trustee appointed by the Decree in this cause to make sale of certain Real Estate in the proceedings therein mentioned, shows that after giving Bond with security for the faithful

discharge of his trust as required by said Decree, and giving notice of the time, place, manner and terms of sale by advertisement in the "Lentreville Observer" and Maryland Lertizen, two newspapers printed at Lentreville, Queen Anne's County, Maryland, in the Delaware Gazette, a newspaper printed, at Wilmington, Delaware and in the Billage Record, a newspaper printed at West Chester, Pennsylvania for more than three successive weeks before the day of sale and by handbills, extensively circulated through Queen Anne's and adjoining Counties, he did pursuant to said notice attend in front of the Court House in Lentreville, on Tuesday the thirtieth day of August eighteen hundred and sixty four between twelve O'clock M. and two P. M. and offered said Real Estate at Public sale to the highest bidder and sold the same to William J. Price, he being the highest bidder therefor. at and for the sum of fifty five dollars and sixty five cents per acre, supposing the same to contain two hundred and ninety two acres three rods and twenty two perches: that subsequently and before complying with the terms of sale, the said purchaser caused the said land to be surveyed by James W. Thompson Esquire in the presence of John B. Brown Esquire, one of the parties to this cause, who upon an accurate survey discovered two important errors in a former survey by which the actual quantity of land was found to contain two hundred and thirty six acres three rods and twelve perches, and by which said last mentioned survey as well the parties to the cause as the purchaser were willing to abide; This made the whole purchase money amount to the sum of thirteen thousand one hundred and seventy nine dollars and thirty one cents, of which the said William J. Price paid to your Trustee the sum of three thousand one hundred and seventy nine dollars and thirty one cents cash and gave his Bond with Benny Dodd, Richard B. Carrichall and William Price as securities for the payment of ten thousand dollars in three equal instalments of two thousand and six hundred and sixty six dollars and sixty six cents from the first day of January eighteen hundred and sixty five with interest from said last mentioned time on the whole principal to be paid annually until the whole bond is discharged: This Bond is to be subject to the terms of an agreement signed by the Trustee as part of the proceedings connected with the within mentioned sale,

All of which is respectfully submitted by.

Madison Brown, Trustee.

Maryland, Queen Anne's County, to wit:

On this 19th day of October 1864, before the undersigned a Justice of the peace of the state of Maryland in and for Queen Anne's County personally appeared Madison Brown, the within named Trustee and made Oath that the matters and things stated in the foregoing Report of Sale are true to the best of his knowledge and belief and that said sale was fairly made.

Whereupon the following agreement was filed, to wit

We the undersigned, the only parties in interest in the above cause hereby consent to the final ratification of the foregoing Report of Sale without further delay. Oct 18. 1864.

Geo. B. Rowleson J.P.

Sallie E. Bryan
John R. Brown
Gannie K. Brown

And therefore the Court passed the following Order, to wit:
 The parties to this cause having consented in writing to the immediate final ratification of the sale within reported by Madison Brown Trustee, it is hereby ordered this 20th day of October 1864, that the said sale be and hereby is finally ratified and confirmed and that the Trustee be and he is hereby allowed the usual commission and all expenses not personal.

J. B. Ricard.

And afterwards, to wit: on the 21st day of October 1864. the following agreement was filed to wit:

By a decree of the Chancellor Johnson in the case of Ringgold vs Bryan et al. there is an outstanding lien of \$3000 on Sportsman's Hall, the interest of which is to be paid to Mrs Mary Ringgold during her life and the principal to be disposed of by the Court after her death, the interest has been regularly paid up to the last day of payment at the time of the division of the real estate of the late Valentine Bryan between his heirs the above mentioned cause had not been finally adjudicated or if so, the lien was not taken into account by the commissioners who valued and divided the real estate of Valentine Bryan. The late John L. Bryan, who elected to take Sportsman's Hall as part of his share of Valentine Bryan Real estate considered therefore that he had a just claim on the other heirs to contribute equally to the lifting this lien when it should be due and to the payment of the interest thereon meanwhile, on this claim they acquiesced and up to this time have contributed to the payment of the interest and it is not doubted will be ready to pay their proportion of the principal when it is due, The proportion of the late John L. Bryan has been already paid into the hand of William L. Bryan, To obviate all objections however on the part of the purchasers, the parties to this suit have agreed that \$3000. principal of the purchase money shall remain unpaid until the contingency happens on which it is payable and then be paid by the purchasers in exoneration of the lien for which his bond shall be entitled to credit, unless the parties to this cause shall before that event have made such payment or otherwise discharged the lien. The Bond for the credit payment will be drawn according to the advertised terms notwithstanding this agreement but to enable the purchasers to obtain the benefit of it, the Trustee will file it in the cause when he makes his report of sale.

Madison Brown Trustee
 August 30th 1864.

Therefore further proof of and upon the premises aforesaid, is further continued by regular continuances from term to term of said Court until the fourth Monday of July next, at which said fourth Monday of July in the year eighteen hundred and sixty five, comes into Court here as well the said Sarah E. Bryan by her Solicitor aforesaid and the said John B. Brown and Fannie R. Brown formerly Fannie K. Bryan by their Solicitor aforesaid, And therefore the following statement and agreement was filed, to wit:

Amount of Sale of Sportsman's Hall		\$ 13179. 31
Less. By allowance to Trustee for comm ⁿ .	\$ 571. 67	
By expenses of surveying, advertising, &c.	19. 29	
By allowance to complete Sole ^r	20. 00	
" " " Defalte do	10. 00	

By costs due Reg. Skills	2.58	
By Lemkelt's licks costs	8.40	
By Edite do do	.70	
		\$ 692.64
		\$ 12,486.67

Nett amount subject to the claim of Purchaser for
 any lien due Mrs Punggold & others
 with interest on purchasable money (say) }
 Nett Balance without interest subject to over payments }
 in personal estate of Jno. L. Bryan due Mrs Sarah }
 E. Bryan Adm^r. }

1 st Over payment as by 4 th adm ^r . account	\$ 1192.65	
2 nd Cash paid on claim of S. & M. Harris 500.00		} 637.67
Ent on same from 28 July 60 to 30 Aug. 64 =	137.67	
3 rd Cash paid on do 7 Feby 1863	252.00	} 275.64
Ent on do from 7 Feby 63 to Aug 30, 64	23.64	
4 th Cash paid on do 1 st April 1863.	100.54	} 109.58
Ent. on do to 30 August 1864	9.04	
5 th Cash paid judgt. M. J. Perrine 30 Aug. 64		987.71
6 th Cash paid P. Wilmer 28 Jan 1860	200.00	} 255.06
Ent. on do to Aug 30 th 1864	55.06	
7 th Cash paid P. Wilmer 25 Feby 62	91.66	} 105.48
Ent. on do to 30 Aug 1864.	13.82	
8 th Cash paid Thos. Dodd acct 10 Feby 63	25.09	} 27.43
Ent. on do to 30 August 1864.	2.34	
Carried forward		\$ 3591.22

Nett Bal. Subject to over payment of personal estate of }
 John L. Bryan brought forward } \$ 9,486.67

Amount of over payments brought forward - \$ 3591.22
 9th Cash paid Tri fa of Abner Hall 4 Feby 1865 72.74
 Total over payments \$ 3663.96

From which deduct Sales of Real estate made by }
 adm^r. + net charged \$9843 + 234.37 - \$ 332.80 }
 Also Mr. B. Fulghman }
 allowed in Adm^r. acct } 40.92 }
 Also S. J. Harris in acct allowed twice } 8.81 } \$ 382.53 } \$ 3281.41

Real. to be disposed of per Order of Court subject to the will }
 of Jno L. Bryan or the agreement of parties in interest } \$ 6,205.24

Bryan }
 vs } In the Circuit Court for
 Brown & wife } Queen Anne's County in Equity
 July Term 1865.

It is hereby agreed this seventeenth day of August eighteen hundred and sixty five that the Circuit Court for Queen Anne's County in Equity shall pass an order ratifying the above statement allowing the sum of Six hundred and ninety two dollars and sixty four cents for commission to Trustee, expenses and costs of suit, and also the sum of Three thousand two hundred and eighty one dollars and forty three cents for nett over payments made by Sarah L. Bryan administratrix L. J. W. of

John L. Bryan on his personal estate including interest to day of sale on said payments, together with her proportion of interest on said overpayments, out of the sales of real estate made by the Trustee as funds shall come into his hands, also that the balance of six thousand two hundred and five dollars and twenty four cents appearing on said statement and all interest on said sales not applicable to the overpayments of the personal estate, nor to the three thousand dollars, amount of supposed lien in favor of Mrs. Ringgold and others, be paid by the said Trustee as collected to the said Sarah E. Bryan widow and Fannie K. Brown heir at law of said John L. Bryan in such proportions as the said Sarah E. Bryan and John B. Brown and Fannie K. Brown may agree and direct. It is further agreed that said order shall in like manner embrace the depositions of said sum of three thousand dollars and interest thereon subject to the terms of the agreement between the Trustee and purchaser of said real estate now on file in the cause.

Sarah E. Bryan
John B. Brown
Fannie K. Brown

Therefore the court passed the following Order, to wit:

On this 19th day of August eighteen hundred and sixty five in accordance with the foregoing agreement of the parties to this cause, it is ordered by the Circuit Court for Queen Anne's County in Equity and by the authority thereof, that the foregoing statement of the sales of the Real Estate reported in this cause be finally ratified and confirmed - that the Trustee be and he hereby is allowed to retain in hand the sum of six hundred and ninety two dollars and sixty four cents for commission and to defray the expenses of sale and costs of suit - that the Trustee be and he hereby is directed to pay over to Sarah E. Bryan the sum of three thousand two hundred and eighty one dollars and forty three cents, with her proportion of interest thereon on account of overpayments made by her as administratrix of John L. Bryan dec'd. on his personal estate as funds shall come into his hands. That he be and is hereby directed to pay over to said Sarah E. Bryan and Fannie K. Brown formerly Fannie K. Bryan, Heir at Law of John L. Bryan dec'd. the balance of six thousand two hundred and five dollars and twenty four cents appearing on said statement and all interest on said sales not applicable to the overpayment of the personal estate nor to the \$3000. (amount of supposed lien in favor of Mrs. Ringgold and others), in such proportions as the said Sarah E. Bryan and John B. Brown and Fannie K. Brown may agree and direct, and it is furthermore ordered and directed that said sum of three thousand dollars and interest that may be applicable thereto be in like manner subject to the disposition of the said Sarah E. Bryan and John B. Brown and Fannie K. Brown subject to the terms of the agreement between the Trustee and the purchaser of said Real Estate now on file in the cause, and the Trustee will pay over accordingly.

Jno. M. Robinson

Thomas H. Baynard
vs.
Robert L. Baynard &
Robert J. H. Baynard

Be it remembered that at a County Court begun and held at Centerville in and for Queen Anne's County on the first Monday of November in the year eighteen hundred and fifty one, the said Thomas H. Baynard by Clinton Look Esq. his attorney declared against the said Robert L. Baynard and Robert J. H. Baynard in a plea of debt as follows, to wit:

Queen Anne's County, to wit:

Robert L. Baynard and Robert J. H. Baynard late of Queen Anne's County were summoned to answer unto Thomas H. Baynard of a plea that they render unto him the sum of Fifteen hundred dollars current money which to him they owe and unjustly detain, &c

And whereupon the said Thomas H. Baynard is Plaintiff in this action, by Clinton Look his Attorney, says, that whereas, the said Robert L. Baynard & Robert J. H. Baynard, Defendants in this action, on the eighteenth day of January in the year of our Lord eighteen hundred and fifty one in the County aforesaid by their certain writing obligatory, sealed with their seals (and to the best now here shown, whose date is the day and year aforesaid), acknowledged themselves to be held and firmly bound to the said Plaintiff in the just and full sum of fifteen hundred dollars, current money to be paid to the said Plaintiff whenever afterwards they the said Defendants should be thereto required.

Nevertheless the said Defendants (although often afterwards requested) now hath either of them, have not yet paid the said sum of money, or any part thereof, to the said Plaintiff but hitherto have refused, and to pay the same to the said Plaintiff still do refuse, to the damage of the said Plaintiff, in eight hundred dollars, like money, and thereupon he brings suit &c.

Clinton Look, Plaintiff's Attorney.


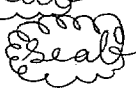
The obligation referred to in the foregoing Part is in the words following to wit:

Know All men by these presents, that we Robert L. Baynard of the City of Wilmington Delaware and Robert J. H. Baynard of Queen Anne's County Maryland are held and firmly bound unto Thomas H. Baynard of the City of Wilmington Delaware in the sum of One thousand and five hundred dollars lawful money of the United States of America, ^{State} to be paid to the said Thomas H. Baynard his certain Attorney, ^{Maryland} Executors, administrators or assigns, for which payment ^{cents} well and truly to be made we do bind ourselves and each of us jointly and severally, our, and each of our heirs, Executors or administrators jointly and severally firmly by these presents, sealed with our seals and dated this eighteenth day of January in the year of our Lord, one thousand eight hundred and fifty one (instant)

Now the condition of this obligation is such, that if the above bounden Robert L. Baynard and Robert J. H. Baynard their heirs, Executors, administrators or any of them, shall and do well and truly pay or cause to be paid, unto the above named Thomas H. Baynard his certain Attorney, Executors, administrators, or assigns the just sum of seven hundred and fifty dollars lawful money as aforesaid on or before the first day of February

next ensuing with lawful interest from the date hereof until paid without any fraud or further delay, then the above and foregoing obligation to be void, or else to be and remain in full force and virtue.

Sealed and delivered }
 in the presence of }
 James McKay } 3/



Robt. B. Baynard 
 Robert J. B. Baynard 

To any Attorney of the Superior Court of the State of Delaware or elsewhere Or to any Prothonary, clerk or other person. Whereas Robert B. Baynard of the City of Wilmington Delaware, and Robert J. B. Baynard of Green Anne's County Maryland by a certain obligation bearing even date hereunto do stand bound unto Thomas B. Baynard of the City of Wilmington Delaware in the penal sum of one thousand and five hundred dollars lawful money of the United States of America, conditioned for the payment of seven hundred and fifty dollars on or before the first day of February next ensuing, one thousand eight hundred and fifty one with lawful interest from the eighteenth day of January (instant) one thousand eight hundred and fifty one.

These are to authorize and desire you, or any of you, to appear for us, or, and each of our heirs executors, or administrators, in the said Court or elsewhere, in an action of debt there or elsewhere brought against us, or any of us, heirs, executors, or administrators, at the suit of the said Thomas B. Baynard, his executors, administrators or assigns, on the said obligation as of any Term, or Term past, present, or any other subsequent Term or time there or elsewhere to be held, and to confess judgment thereupon against us, or any of us, heirs, executors or administrators, for the sum of one thousand and five hundred dollars debt, besides costs of suit, by such sum informatus nihil dicit or otherwise, as to you it shall seem meet; and for you or any of you avowing this shall be your sufficient warrant, and we do hereby for ourselves and each of us, our and each of our heirs executors, or administrators remise, release, and forever quit claim unto the said Thomas B. Baynard his certain attorney, executors, administrators, or assigns, all and all manner of error and errors, misperme, misentries, defects and imperfections whatever, in the entering of the said judgment, or any proceedings thereon, or thereto, or any wise touching or concerning the same.

In Witness whereof we have hereunto set our hands and seals the Eighteenth day of January in the year of our Lord one thousand eight hundred and fifty one.

Sealed and delivered in }
 the presence of }
 James McKay } 3/

Robt. B. Baynard 
 Robert J. B. Baynard 

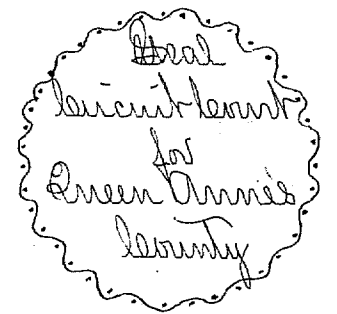
And the said Robert B. Baynard and Robert J. B. Baynard being afterwards called voluntarily appeared in Court here by Barrichael & Brown their Attorneys and say they cannot deny the action of our said of the said Thomas B. Baynard so as aforesaid against them brought nor that they owe the aforesaid Thomas B. Baynard the sum of fifteen hundred dollars current money, nor that the said Thomas B. Baynard hath sustained damage by reason of the detention of the

debt aforesaid to the sum of eight hundred dollars in manner and form as the aforesaid Thomas G. Baynard within against them hath complained besides his costs and charges by him about his suit in this behalf laid out and expended &c.

And hereupon the said Thomas G. Baynard by his Attorney aforesaid prays Judgment for his debt aforesaid, so as aforesaid confessed together with his damages so as aforesaid acknowledged as also for his costs and charges by him about his suit in this behalf laid out and expended to him to be adjudged &c. Therefore it is considered by the Court here that the said Thomas G. Baynard recover against the said Robert G. Baynard and Robert J. G. Baynard as well the said sum of Fifteen hundred dollars to be released on the payment of seven hundred and fifty dollars with interest thereon from the eighteenth day of January eighteen hundred and fifty one, as also the sum of six dollars fifty eight and one third cent by the Court here unto the said Thomas G. Baynard adjudged for his costs and charges by him about his suit in this behalf laid out and expended

And the said Robert G. Baynard and Robert J. G. Baynard in mercy &c.

Memorandum Judgment was confessed in this cause on the third day of November eighteen hundred and fifty one for Fifteen hundred dollars penalty of bond and six dollars fifty eight and one third cent costs to be released on the payment of seven hundred and fifty dollars with interest thereon from the eighteenth day of January eighteen hundred and fifty one, until paid and costs, and the Plaintiff agreed to stay execution on said judgment for twelve months, & whereas afterwards to wit: on the fifth day of November in the year eighteen hundred and fifty seven, the said Thomas G. Baynard by his Attorney aforesaid sued out of the said Court of and upon the Judgment aforesaid the writ of the State of Maryland of Scire Facias directed to the Sheriff of Queen Anne's County aforesaid in the following words and figures to wit:



Queen Anne's County, to wit: State of Maryland to: To the Sheriff of Queen Anne's County, Greeting: Whereas at a County Court for Queen Anne's County begun and held at Centerville in and for said County on the first Monday of November in the year eighteen hundred and fifty one, a certain Thomas G. Baynard by the Judgment

of the said Court recovered against a certain Robert G. Baynard and Robert J. G. Baynard late of Queen Anne's County, as well the sum of one thousand five hundred dollars current money a certain debt as the sum of six dollars fifty eight and one third cent for his costs and charges by him about his suit in that behalf laid out and expended - whereof the said Robert G. Baynard and Robert J. G. Baynard are convict as it appears of record; and now on the behalf of the said Thomas G. Baynard it hath been understood in the said Court that although the judgment aforesaid hath been given yet execution for the debt, costs and charges aforesaid still remain to be made for him; wherefore the said Thomas G. Baynard hath besought that a process whereby he granted him in this behalf you are therefore hereby commanded to give notice to the said Robert G. Baynard and

Robert J. G. Baynard that they do and appear before the leucuit court for Queen Anne's County to be held at Centerville in said County on the first Monday of May next to show cause if any they have why the said Thomas G. Baynard should not have his execution against them for the debt costs and charges aforesaid according to the force form and effect of the recovery aforesaid, if they the said Robert G. Baynard and Robert J. G. Baynard shall think fit and further to do & receive what the said court shall then and there consider concerning them in this behalf, and have then and there this writ: Witness the Honourable Philimon B. Hopper judge of said court the fifth day of November in the year eighteen hundred and fifty six,

Issued the 5th day of November 1857.

John Palmer, Clerk,

The foregoing was thus endorsed to wit: To Lie in Office And the said Robert G. Baynard and Robert J. G. Baynard by Philimon B. Hopper Esq. their Attorney say that they cannot deny by that there is such record of the recovery against the said Robert G. Baynard and Robert J. G. Baynard of the debt costs and charges as in the said writ of Scire Facias is alleged nor do it that the said Thomas G. Baynard ought to have his execution against the said Robert G. Baynard and Robert J. G. Baynard, Therefore it is considered by the court here that the said Thomas G. Baynard have execution against the said Robert G. Baynard and Robert J. G. Baynard for as well the debt costs and charges aforesaid in the writ of Scire Facias aforesaid, mentioned according to the force form and effect of the recovery aforesaid, as the sum of six dollars & ninety cents to the said Thomas G. Baynard on his apert by the court here adjudged for his costs and charges which he hath sustained by reason of the delay of the execution of the judgment aforesaid by the default of the said Robert G. Baynard and Robert J. G. Baynard &c

And whereupon stay of execution on the judgment aforesaid is given for the period of six months,

And afterwards on the fourteenth day of November in the year Eighteen hundred and fifty nine execution was issued upon the afore recited Judgment, in the manner and mode following to wit:

State of Maryland ss: Queen Anne's County to wit: To the Sheriff of Queen County; Greeting: Whereas at a County Court for Queen Anne's County

Seal
Queen Anne's County
leucuit court
begun and held at Centerville in and for said County on the first Monday of November in the year eighteen hundred and fifty one, a certain Thomas G. Baynard, by the judgment of the said court recovered against a certain Robert G. Baynard and

Robert J. G. Baynard, late of Queen Anne's County as well the sum of one thousand five hundred dollars current money a certain debt, as the sum of six dollars fifty one and two third cents for his costs and charges by him about his suit in that behalf laid out and expended, whereof the said Robert G. Baynard and Robert J. G. Baynard are convict as it appears of record: And whereas at a leucuit court for Queen Anne's County aforesaid begun and held at Centerville in said County on the first Monday of May in the year Eighteen hundred and fifty seven it was considered by the said court, that the said Thomas G. Baynard, should have his execution against the said Robert G. Baynard and Robert J. G. Baynard for as well the debt, costs and charges aforesaid, as also for the sum of six dollars and ninety cents current money, which to the said Thomas G. Baynard in the

said levist was adjudged for his costs and charges which he had sustained by delay of the execution aforesaid, whereof the said Robert L. Baynard, and Robert J. B. Baynard and likewise Condit as it appears of record: Therefore you are hereby commanded that of the goods and chattles, lands and Tenements of the said Robert L. Baynard and Robert J. B. Baynard in your bailiwick being, you cause to be levied and made as well the debt costs and charges aforesaid, as also the sum of one dollar and seventy five cents current money for the additional costs and charges already expended, and to be expended in the prosecution of this writ and have you those sums of money before the leucit levist for Queen Annes lewnty to be held at leentreville in and for said lewnty on the first Monday of May next to be rendered unto the said Thomas B. Baynard for the debt, costs and charges aforesaid, whereof fail not at your peril and have you then and there this writ: Witness the Honorable Richard P. Leammichael Judge of the said lewnt the seventh day of November eighteen hundred and fifty nine.

Dated the 14th day of November 1859.

Madison Brown, Clerk.

And now here to this day to wit: at a leucit lewnt (The lewnt having been changed by the New Constitution of Maryland), begun and held at leentreville for Queen Annes lewnty aforesaid, on the first Monday of May in the year eighteen hundred and sixty five, the said Thomas B. Baynard comes into lewnt here by his Attorney aforesaid and the late Sheriff of Queen Annes lewnty of aforesaid, to wit John R. Story Esq. to whom the said writ Fieri Facias was in form aforesaid directed makes return to the lewnt here of the said writ therein endorsed, to wit:

For value received I hereby assign, transfer and set over to the use of Colin R. Ferguson Esq. of Queen Annes lewnty, Maryland, the within judgment and execution without recourse to Plaintiff. // March 1865.

John P. Brown, Attorney for Mrs Ellen L. Baynard Executrix of Thomas B. Baynard decd.

And further endorsed to wit:

Lands and tenements of Robt J. B. Baynard sold to Colin R. Ferguson as per Special return.

John R. Story, Sheriff.

The Special return referred to in the foregoing return is in the words following to wit:

To the Honorable John M. Robinson, Judge of the leucit lewnt for Queen Annes lewnty,

I, John R. Story, late Sheriff of Queen Annes lewnty, State of Maryland, to your Honor respectfully certifying, that in and by virtue of the accompanying writ of fieri facias issued out of the leucit lewnt for Queen Annes lewnty on the fourteenth day of November in the year eighteen hundred and fifty nine at the suit of Thomas B. Baynard against the lands and tenements, goods and chattles of Robert L. Baynard and Robert J. B. Baynard and to me as sheriff aforesaid directed, I did seize, levy upon and take in execution all the right and title interest and estate of the said

Robert J. H. Baynard to wit: (on the fourteenth day of November aforesaid) in and to all that farm or plantation situate lying and being in the third Election District of Queen Anne's County aforesaid adjoining the lands of Dr. Walter S. Turpin, Thomas Lemegys and others wherein Samuel S. Tarbuton then resided and wherein the said Robert J. H. Baynard now resides and composed of the following tracts or parts of the following tracts of land to wit: "Lentty", "Leok House", "Pleasant Springs", "Lentty's addition" and "Neglect" and containing four hundred and forty five acres of land more or less, said interest and estate of the said Robert J. H. Baynard in and to the aforesaid Real estate so as aforesaid seized levied upon and taken in execution consisting of an undivided one fourth part or interest therein conveyed to the said Robert J. H. Baynard by John H. Livingston and wife by deed bearing date the twenty second day of June in the year eighteen hundred and forty six and recorded among the Land Record Books of Queen Anne's County aforesaid as well as any other estate or interest of the said Robert J. H. Baynard in and to said Real Estate subject to execution and that after having given more than twenty days notice of the time, place, manner and terms of sale by advertisement set up at the Court House door in the town of Centerville, County aforesaid and inserted in the "Centerville Observer" a paper published in the town of Centerville aforesaid, I did pursuant to said notice expose same for sale at public auction to the highest bidder in the town of Centerville aforesaid on Tuesday, the twenty sixth day of December in the year eighteen hundred and sixty five between the hours of one and three o'clock P. M. to satisfy the above described fieri facias principal, interest and costs, at which said sale ledwin R. Ferguson of Queen Anne's County aforesaid, being then and there the highest bidder became the purchaser of said Real Estate at and for the sum of one thousand dollars in cash, All which is respectfully submitted,

John R. Story, late Sheriff of
Queen Anne's County.

Thomas P. Booker and
Edward P. Newnam
Executors of Daniel
Newnam deceased
vs.

John G. Watson admr
and John G. Watson
& others, children and
heirs at law of John
Watson

Be it remembered that on this 25th day of
November in the year eighteen hundred and
sixty three, the said Thomas P. Booker and Ed-
ward P. Newnam Executors of Daniel New-
nam dece^d by John P. Brown their Solicitor
filed in the Circuit Court for Queen Anne's coun-
ty their bill of complaint against the said
John G. Watson administrator and John
G. Watson and others children and heirs
at law of John Watson, in the words
following, to wit:

To the Honorable R. P. Carmichael, Judge of the Circuit Court
for Queen Anne's County, in Equity,

This Bill of complaint of Thomas P. Booker and Edward
P. Newnam Executors of Daniel Newnam dece^d filed in their
own behalf and that of the other creditors of John Watson, late of Queen
Anne's County dece^d who, may come in and contribute to the expenses
of this suit, to your Honor respectfully sheweth that said John Wat-
son departed this life sometime in the year eighteen hundred and
sixty two intestate and largely indebted, being possessed of some
personal estate and seized and possessed in fee of certain Real Es-
tate known to your Orator, to wit: a farm situate in Spansards Neck
Queen Anne's County, adjoining the lands of Thomas P. Booker &
Henry Hollyday, and now in the tenancy of Andrew J. Hawley, to-
gether with a Wood lot also situate in Spansards Neck - leaving a
widow Rachel J. Watson surviving him and the following named
children and heirs at law, to wit: John G. Watson, Ann Catherine
Watson, Alice Watson, Mollie Watson, Joseph Watson, Fannie Watson
and Sallie Watson, all of whom with the said Rachel J. Watson re-
side in Queen Anne's County, and all of whom are infants under
twenty one years of age except the first named John G. Watson who
is an adult, that said John Watson, besides being largely indeb-
ted to others and in addition to other matters of indebtedness to
your Orator, was in his lifetime indebted to your Orator in the
sum of three hundred and forty nine dollars and sixty nine
cents with interest thereon from fifth day of May eighteen hun-
dred and sixty two and six dollars and eight cents costs, on judg-
ment confessed in their favor by said intestate on said fifth day of
May in the year aforesaid in the Circuit Court for Queen Anne's
County as will appear by copy thereof marked Exhibit "A" & filed
herewith as part of this Bill that administration of all and sin-
gular the personal estate of said intestate was by the Orphans Court
for Queen Anne's County on the (29th) twenty ninth day of July eighteen
hundred and sixty two granted to John G. Watson aforesaid of
Queen Anne's County as will appear by exemplification of Letters,
marked Exhibit "B" and filed herewith as part of this Bill, who
in virtue thereof has possessed himself of said personal estate, but your
Orator are informed and believe that the same is not sufficient
to discharge all the debts due and owing by the said intestate at the
time of his death and that it is necessary that his Real Estate or so
much as may be necessary for the purpose be sold to satisfy the

balance of his indebtedness after due administration of his personal estate -

To the end therefore that the Defendants hereinafter named may answer the several matters and things hereinbefore set forth as fully and particularly as if the same were herein again repeated and they were thereunto specially interrogated, and that said John W. Watson Administrator of said John Watson may make a full exhibit of the personal estate of his intestate and the amount and particulars thereof, with the amount and particulars of his indebtedness so far as same hath in his knowledge and that said Defendants Heirs at law of said intestate may disclose what Real Estates said intestate died seized of or entitled to and where situate and that said Real Estate or so much as may be necessary for the purpose may be decreed to be sold for payment of so much of the aforesaid indebtedness as may remain unsatisfied by the application of the personal estate as aforesaid, and that your Orators may have such other and further relief as their case may require may it please your Honor to grant unto your Orators the State of Maryland's writ of Subpoena against the said John W. Watson Administrator of John Watson and resident of Queen Anne's County as aforesaid and against the said John W. Watson, Ann Catherine Watson, Alice Watson, Mollie Watson, Joseph Watson and Sallie Watson children and Heirs at Law of John Watson as aforesaid all of whom reside in Queen Anne's County as aforesaid and all of whom are infants under twenty one years of age except the said John W. Watson as aforesaid, commanding them to be and appear in this Court at some certain day to be therein named to answer the premises and abide by and perform such decree as may be passed therein, and as in duty &c

John P. Brown
Solicitor for Plaintiffs

The "Exhibit A" referred to in the foregoing Bill of Complaint is in the words following to wit:

Circuit Court for Queen Anne's County May Term 1863.

Thomas B. Proctor & Edward

B. Newnam Executor of

Daniel Newnam deceased

vs

John Watson

State of Maryland, Queen Anne's County to wit: - I hereby certify that the above is a true short copy of the original judgment rendered in the Circuit Court for Queen Anne's County, and that there is no entry or proceeding in the said Court, to show that the said Judgment or any part thereof hath been paid or satisfied

In Testimony whereof I hereto subscribe my name and the Seal of my Office this 15th day of September 1863.

James Proctor, Clerk
of the Circuit Court for Queen Anne's County.

Costs best, Seal & Stamps \$0.30

Queen Annie County, Sch. } Then came Thos. P. Proctor & Edward P. Newnam,
 Jan 5th 1864 } Executors of Daniel Newnam dec^d and made
 Oath on the Holy Evangelij of Almighty God that the foregoing Judgt. was given
 for a valuable consideration and that no part of the money intended to be
 secured by said instrument hath been received, or any security or any satis-
 faction given for the same to the best of their knowledge and belief;
 St. W. Johnson, - Register of Wills
 for Queen Annie County.

Jan 5th 1864 by order of the court will be allowed when paid
 least 10 cents pd.
 least 10 cents pd.
 least 10 " pd.
 St. W. Johnson Register of Wills
 for Queen Annie County.

Judgment - \$ 349.69
 Ent from: 5th May 1862 to 7 sept 1863 28.20
 costs of writ and Stamp 6.31
 Copy and certificate 25
 \$ 384.27
 lev. Pay cash paid by J. G. Watson admr of
 John Watson dec^d 200.00
 \$ 184.27
 Ent: from 7th Sept 1863 to 7 January 1864 3.68
 \$ 187.95
 costs .20
 \$ 188.15

Received of John G. Watson admr of John Watson dec^d the sum of One
 Hundred and eighty seven Dollars and ninety five cents + 20 + costs in
 full of bal: due on this paymt: as by above statement
 J. P. Brown
 Petter Atty.

Thus endorsed, "Exhibit A,"
 Filed Nov. 23, 1863

1864 February 27. This Paper filed with James Wothers Coms:
 True copy
 Sect:
 Samuel E. Dyott, Clerk,

The "Exhibit B" referred to in the foregoing Bill of complaint is in the
 words following to wit:

Queen Annie County, to wit: -
 I do hereby certify to all persons, whom it doth or may con-
 cern, that John G. Watson obtained Letters of administration on the estate
 of John Watson, late of Queen Annie County, deceased, on the 29th day of July,
 Anno Domini, 1862.

In Testimony whereof I have hereunto set my name, and
 affixed the seal of my Office, this 25th day of Novem-
 ber 1863.
 St. W. Johnson, Reg. Wills
 for Queen Annie County.

Seal's
 Place
 Stamp's
 Place

Whereupon Subpoena was issued in form and words following, to wit:
 Queen Anne's County, to wit: The State of Maryland, to John G. Watson
 Seal administrator of John Watson late of Queen Anne's County dec-
 Deceased, and to John G. Watson, Ann Catherine Watson, Alice
 Watson, Mollie Watson, Joseph Watson, Fannie Watson and
 Sallie Watson children and heirs at law of John Watson, of
 Queen Anne's County, greeting: You and each of you, are hereby

commanded that all excuses set apart, you personally appear before the
 Circuit Court for Queen Anne's County, sitting as a Court of Equity, to be
 held at Centerville, in said County, on the fourth Monday of January next,
 to answer unto the Complaint of Thomas R. Booker and Edward P. New-
 nam Executors of the Testament and last will of Daniel Newnam,
 late of said County, deceased, against you in the said Court exhibited,
 whereof fail not, as you will answer the contrary at your peril:

Witness the Honorable Richard B. Carmichael, Judge of our said
 Court, the fourth day of November in the year eighteen hundred and
 sixty three

Spued the 25th day of November 1863.

James Wooters, Clerk,

Whereupon further process of and upon the premises aforesaid is further con-
 tinued until the fourth Monday of January next at which said fourth
 Monday of January in the year eighteen hundred and sixty four,
 George J. Burgess Esq. Sheriff of Queen Anne's County makes return of the
 aforesaid Subpoena, thus endorsed to wit:

Sum'd

George J. Burgess, Sheriff,

And thereupon Ann, Catherine, Alice, Mollie, Joseph, Fannie and
 Sallie Watson appear in Court and being minors the Court appoints
 Madison Brown Guardian to answer and defend for them,

Whereupon the said Madison Brown as Guardian aforesaid files
 in Court here the following answer to the aforesaid Bill of Complaint,

To the Honorable R. B. Carmichael, Judge of the Circuit Court for
 Queen Anne's County in Equity -

The joint and several answers of Ann Catherine Watson, Alice Wat-
 son, Mollie Watson, Joseph Watson, Fannie Watson and Sallie Watson,
 Infants under the age of twenty one years, by Madison Brown, their
 Guardian, to the Bill of Complaint of Thomas R. Booker and Edward P.
 Newnam Executors of Daniel Newnam dec'd against them and others in
 Equity exhibited, These Defendants cannot admit any of the matters and
 things alleged in said Bill of Complaint, and being Infants of under years
 submit their rights to the protection of this Court.

Madison Brown, Guardian, ad litem

On this thirteenth day of January 1864 personally appeared before me, the
 Subscriber a Justice of the Peace of State of Maryland in and for Queen Anne's
 County, the above named Madison Brown, and made Oath in due
 form of law that the matters and things stated in the foregoing answer
 are true to the best of his knowledge and belief -

J. H. Rowleson, J. P.

Thereupon the said John G. Watson by Jno. M. Robinson Esq. files in court here his answer to the aforesaid Bill of Complaint in the words following to wit:

To the Honorable Judge, of the Circuit Court for Queen Anne's County in Equity,

The Answer of John G. Watson in his two fold capacity as administrator and as Heir at Law of John Watson late of Queen Anne's County deceased to the Bill of Complaint of Thomas B. Brooke and Edward B. Newnam Executors of Daniel Newnam deceased against him and others in Equity exhibited, answering says, that this Respondent admits as charged in said Bill that said John Watson died intestate, and seized and possessed of the Real Estate therein described, and also possessed of considerable personal estate, upon which this Respondent obtained letters of administration, Your Respondent further admits the indebtedness of said intestate to complainants and others as charged in their said Bill and the insufficiency of his personal estate to defray the costs and charges of administration and discharge his indebtedness, and that a sale of his Real Estate or some portion thereof will be necessary in order to supply the deficiency - Your Respondent sets forth that while it appears from his first and only administration account (a copy whereof marked "Exhibit A" accompanying this) that he stands charged with \$3907.40 yet that \$3325. thereof represents the appraised value of negroes (as will appear by certificate of the Register of Wills of Queen Anne's County marked "Exhibit D" accompanying this), less the sum of \$475. appraised value of two negroes allowed as will appear by reference to said "Exhibit A." making the sum actually in hand independent of negroes \$1057.40 to defray remaining costs of administration and discharge balance of indebtedness of said intestate, that the amount of indebtedness proved and registered in the Orphan Court against said intestate's estate (as will appear by copy of same certified by the Register of Queen Anne's County accompanying this and marked Exhibit E,) is the sum of \$3556.28, without interest, to which may be added a note to the Eastern Bank of Maryland for which your respondent has been providing by partial payments and renewals in behalf of the securities thereto, said note as it originally stood without interest being \$600. making in the aggregate without interest \$4156.28 - this amt. will be largely increased by interest; and of this amount as will appear by reference to list of claims "Exhibit B" and administration account Exhibit A. only the sum of \$477.33 has been allowed in said first administration account the balance of said sum of \$2142.16. consisting of matters not registered - that the sum of indebtedness of said intestate interest not included, is therefore the sum of \$3648.95, so far as same has come to the knowledge of your respondent, to meet which with interest and additional costs of administration your Respondent has in hand as aforesaid \$1057.40. independent of negroes, In reference to these Negroes your Respondent sets forth that they are of no saleable value owing to the condition of the times affecting that species of property, and have not been for a long time that to expose them in the public market or dispose of them at private sale would be to no purpose, no one being willing to meet his or her

money in such property, at best they would bring but a nominal sum which would be of no benefit to the estate, the creditors or the heirs at law that your Respondent is advised that it is for the interest of the Heirs at Law that he should continue to hire said negroes so long as he can retain the control of them, for while persons are unwilling to buy negroes they are willing to hire them at a high rate of wages, the payment of wages being dependent upon their services, that the creditors are unwilling to await payment by this slow and uncertain process, if such a consummation were probable or even possible which is not the case, Therefore your Respondent as administrator and heir at law of said intestate expresses his consent and willingness that a decree shall pass as prayed - and as in duty &c

Jno. M. Robinson Sol. for.
John G. Blatton

State of Maryland, Queen Anne's County, to-wit:

On this 27th January 1864 personally appeared before the subscriber, a Justice of State in and for County aforesaid John G. Blatton and made oath in due form of law that the several matters and things stated in foregoing answer are true as stated to the best of his knowledge and belief.

J. H. Rowleson J.P.

The "Exhibit b." referred to in the foregoing answer is in the form and words following, to-wit:

Queen Anne's County, Det. - The 1st account of John G. Blatton administrator of all and singular the goods, chattels and personal estate of John Blatton late of Queen Anne's County, deceased. -

This Accountant charges himself with the amount of the Inventory of Deceased's personal estate, as per same, returned on the 11th November 1862, appears: -

\$ 5700. 83

Also with the gain on the sale of Deceased's personal estate, as per account of sales, returned, on the 10th March 1863, appears: -

57. 96

Also with six months interest on \$ 1859. 00 - the same being the amount of notes taken at vendor of Deceased's personal property.

55. 77

Also with amount of negro hire, as per account of same, this day returned:

235. 00

\$ 6049. 56.

And this accountant prays to be allowed for the following payments, and disbursements, viz: -

No. 1. - For cash paid Reg. Bills for sundry fees incurred in the settlement of Deceased's personal estate, as per bill of Same exhibited:

\$ 17. 43

No. 2. - For cash paid by this accountant to Ferguson & Knight for Walnut coffin &c for deceased, as per bill and receipt thereon appears: allowed by order of Court

\$ 20. 00

(amt carried forward) \$ 37. 43

(Amt. brought forward)

\$ 37.43

No. 3.- For cash paid by this accountant to Mr. Geely & Hooper for sundry articles of merchandise used at burial of deceased at per bill and receipt thereon appears allowed by order of court: -

21.25

No. 4.- For cash paid by this accountant to Saml. J. Earle, Jr. & Co. of E. Wright for State and county taxes charged to deceased for the year 1859, as per bill and receipt thereon appears: allowed by order of court.

6.63

No. 5.- For cash paid by this accountant to G. N. Farman for State and county taxes charged to deceased for the year 1860, as per bill and receipt thereon appears: allowed by order of court.

60.54

No. 6.- For cash paid by this accountant to same for state and county taxes charged to deceased for the year 1861, as per bill and receipt thereon appears: allowed by order of court.

60.47

No. 7.- For cash paid by this accountant to Jas. P. Palmer for State and county taxes for the year 1862, as per bill and receipt thereon appears: allowed by order of court.

75.70

No. 8.- For cash paid by this accountant to same for state and county taxes charged to deceased for the year 1863, as per bill and receipt thereon appears: allowed by order of court.

77.32

(Amount carried forward)

\$ 339.34

(Amt. brought forward:)

\$ 339.34

No. 9.- For cash paid by this accountant to Wm. Gould for appraising property, as per receipt for same appears allowed by order of court: -

4.00

No. 10.- For cash paid by this accountant to A. J. Hawley for getting off, and hauling 216 lbs corn, as per receipt for same appears: allowed by order of court.

15.00

No. 11.- For cash paid by this accountant to R. J. Price for services as clerk at Vendue, as per receipt appears: allowed by order of court: -

8.00

No. 12.- For cash paid by this accountant to Jas. H. Leostin, as per receipt for services, as brief at sale, appears: allowed by order of court: -

10.00

No. 13.- For cash paid by this accountant to Mrs. Wilkinson for Bacon for use of family before sale, as per receipt for same appears: allowed by order of court:

4.25

No. 14.- For cash paid by this accountant to J. R. Story, for 50 lbs. Bacon for use of family before sale, as per bill and receipt appears: allowed by order of court.

5.00

No. 15.- For cash paid by this accountant to J. S. Moore, for 1 pair boys shoes for servant as per bill & receipt thereon appears: allowed by order of court.

1.13

No. 16.- For cash paid by this accountant to R. J. Watson for making servants clothes, as per bill and receipt thereon appears allowed by order of court: -

6.50

(Amt. carried forward)

\$ 393.22

(Amt. brought forward:)

\$ 393.22

- No. 17. For cash paid by this accountant to Harriett Forman for services, as mid wife for servant, as per bill and receipt thereon appears: allowed by order of court: - 2.00
- No. 18. For cash paid by this accountant to Charles Carmichael for cutting hay (3 days) as per bill and receipt thereon appears: allowed by order of court: - 3.00
- No. 19. For cash paid by this accountant to John W. Chambers for repairing family implements &c, as per bill and receipt thereon appears: allowed by order of court: - 4.16
- No. 20. For cash paid by this accountant to Jno. Carter, for 3 free men's vote for servants, as per receipt for same appears: allowed by order of court: - 14.75
- No. 21. For cash paid by this accountant to Wm. Stelle for 2 days work binding wheat, as per bill and receipt thereon appears: allowed by order of court: - 1.50
- No. 22. For cash paid by this accountant to Saml. A. House for sugar & coffee for use of family before sale, as per bill and receipt thereon appears, allowed by order of court: - 3.05
- No. 23. For cash paid by this accountant to Thos. R. Howard for sugar & coffee &c for use of family before sale, as per bill and receipt thereon appears: - 5.75

(Amt. carried forward)

\$ 427.43

(Amt. brought forward)

\$ 427.43

- No. 24. For cash paid by this accountant to Jno. R. Story for fees due Mr. Brown, as per receipt for same appears: allowed by order of court: - 24.00
- No. 25. For cash paid by this accountant to Geo. F. Burgess, shiff. for fees due Mr. Brown clerk, as per bill and receipt thereon appears: allowed by order of court: - 5.12
- No. 26. For cash paid by this accountant to same for fees due Mr. Brown clerk, as per bill and receipt thereon appears: allowed by order of court: - 1.20
- No. 27. For cash due from Deceased to A. W. Duhamel, admr of Wm. Megee, and paid by this accountant, as per copy of judgment proved and receipt thereon appears: allowed by order of Register: - 3.60
- No. 28. For cash due from Deceased to A. W. Duhamel, and paid by this accountant, as per copy of judgment proved, and receipt thereon appears: allowed by Register: - 38.69
- No. 29. For cash due from Deceased to same, and paid by this accountant, as per copy of judgment proved, and receipt thereon appears: allowed by order of Register: - 34.31
- No. 30. For cash due from Deceased to Edward S. Willis, use of A. W. Duhamel, and paid by this accountant, as per copy of judgment proved and receipt thereon appears: allowed by Register: - 10.83

(amt. carried forward)

\$ 545.18

(Amt. brought forward;)

\$545.18

- No. 31. - For cash due from deceased to John Palmer, clerk, and paid by this accountant, as per bill proved, and sheriff's receipt thereon appears: allowed by Register: - 9.49
- No. 32. - For cash due from deceased to James B. Palmer + John Palmer, execs of John Palmer, decd. and paid by this accountant, as per copy of Judgment proved, and receipt thereon appears: allowed by order of court: - 10.44
- No. 33. - For cash due from deceased to Samuel Roberts, and paid by this accountant, as per copy of Judgment proved, and receipt thereon appears: allowed by order of court: - 18.16
- No. 35. - For cash due from deceased to Samuel Roberts, and paid by this accountant, as per copy of Judgment proved, and receipt thereon appears: allowed by order of court: - 154.14
- No. 36. - For cash due from deceased to R. J. Raymond, use of Thos. Achem, and paid by this accountant, as per copy of fi fa, and Constable's receipt thereon appears: allowed by order of court: - 4.98
- No. 37. - For cash due from deceased to Isaac Hayden use of J. B. Palmer, and paid by this accountant, as per copy of Judgment proved, and receipt thereon appears: allowed by order of court: - 33.42

(Amt. carried forward;)

\$775.81

(Amt. brought forward;)

\$775.81

- No. 38. - For cash due from deceased to John Palmer, and paid by this accountant, as per copy of Judgment proved, and receipt thereon appears, allowed by order of court: - 36.94
- No. 39. - For cash due from deceased to John Palmer, and paid by this accountant, as per account of fees proved, and sheriff's receipt thereon appears: allowed by Register: - 2.04
- No. 40. - For cash due from deceased to Alexander S. Godwin, and paid by this accountant, as per copy of Judgment proved, and receipt thereon appears: allowed by order of court 139.78
- For cash paid Reg. Wille for stating &c this account: - - - 11.35
- For cash paid same for cert, on Ab. claim - - - - 2.60
- For an allowance for the appraised value of negroes "Thomas Lloyd" + "Samuel", who ran away, and enlisted in the United States Army 475.00
- For 7 per cent. commission on \$5459.69 ct - - - - 382.17
- No. 41. For cash due from deceased to Thomas B. Parker + Ed. B. Newnam, execs, as per copy Judgment proved, and receipt in part appears allowed by order of court: - 200.00
- For cash paid Reg. Wille for recording &c add. account of sales this day returned: - .80
- For cash paid same for recording &c negro hire - - - .80
- For an allowance for loss on sales, as per add. acct. of same, this day returned: - 114.87

Amt. of disbursements: -

\$2142.16

Balance to be accounted for

3907.40
\$6049.56

Queen Anne's County, Set: }
 January 19th 1864 } Then came John G. Watson and made
 oath on the Holy Evangel of Almighty God,
 that the foregoing account is just and true, as stated, and that he hath
 actually and bona fide paid, or secured to be paid the several and par-
 ticular sums for which he claims an allowance

St. W. Johnson, Reg. Mills -
 for Queen Anne's County.

Queen Anne's County, Orphans Court }
 Jan'y 19th - Anno Domini 1864. } The foregoing account was duly
 examined, and approved by the Court, and the same ordered to be re-
 ceived, filed and recorded. -

St. W. Johnson Reg. Mills, for
 Queen Anne's County.

Antestimony that the foregoing is truly copied from the original -
 now on file in my Office, I have hereunto set my name and
 Seal's Stamps affixed my official seal, this 23^d day of January
 1864.

Place Place

St. W. Johnson, Reg. Mills
 for Queen Anne's County.

The "Exhibit D." referred to in the afore recited answer is in the form and
 words following to wit:

Regn. George Hicks age 50 yrs	\$ 150.00	" Kitty Loyd age 12 yrs	300.00
" Nancy Deeden " 50 "	50.00	" Susan Loyd " 10 "	200.00
" George Dobson " 30 "	400.00	" Mat Loyd " 12 "	300.00
" Mary Jones age 27 "	3	" James Loyd " 7 "	125.00
+ child - age 5 mos	400.00	" John St. " 4 "	100.00
" Ariann Rodway age 27	400.00	" Elighman Johns " 2 "	75.00
" Thomas Loyd age 22	400.00	" Negro Samuel to serve	3
" Henry Loyd " 16	350.00	until Oct. 1864.	75.00

In Testimony that the foregoing is a true extract from the Invento-
 ry of the personal estate of John Watson, late of Queen Anne's
 County, dated Nov. 11th 1862, and now on file in my
 Office, I have hereunto set my name, and affixed
 my official seal, this 2^d day of January 1864.

Seal's Place Stamps Place

St. W. Johnson Reg. Mills
 for Queen Anne's County.

The "Exhibit E." referred to in the afore recited answer is in form and
 words following to wit:

Date	Names of Deceased	Names of the Creditors	Claim	Amt. of Claim
1862				
Aug. 5 th	John Watson	Stratton & Trenchard	Acct	\$ 1.38
" "		Daniel Friel	acct	54.00
Sept 2 ^d		James Elliott	acct	18.91
" 9 th		James B. Bassett	Bal. acct	7.25
" 16 th		Rich ^d Anderson Adm ^r .	Note	201.50
" 26 th		W. W. Durhamel	Judgt.	34.21
" "		do.	Judgt.	30.35
" "		J. F. Poston, use of E. J. Billie,		
" "		use W. W. Durhamel	Judgt.	9.10

Oct 7 th		A. W. Duhamel admn of Megee	Judgt.	2.60
" "		Keating & Knight	Acct.	27.35
" 28 th		Parrott & Keating	Acct.	16.80
Nov 11		John W. Knotts	"	33.50
" 18 th		Mallin & Poro.	Note Bal	19.22
" 25		Jas. Friskey	Acct.	15.00
" 25		Hopper & Wilmer	Note	168.25
" "		John N. Chambers	Acct	18.11
" "		Dr. Jno. McCleary	"	14.50
" 29 th		A. W. Arlett	"	5.50
Dec 8 th		A. J. Collins	"	5.62 1/2
" 9 th		J. M. Watson	Accep ^d . Order	12.60
Nov 4 th		Smith & Burnett	Note	60.10
Dec 16 th		Robt. A. Peamy	Due Bill	7.69
" "		do.	Acct.	29.37
" "		Jno. A. Hollingsworth	Due Bill	25.29
" "		Wesley Kirby (S. N.)	Acct.	7.43 3/4
" 23 ^d		Wm. E. Knotts & Poro.	Due Bill	\$ 20.37 1/2
" "		Hayden use of Jas. P. Palmer	Judgt.	31.23
" "		W. J. Tuckerman	Due Bill	9.50
" "		Harzburg & Steifel	Acct.	28.50
" "		Jas. P. Palmer & Jno Palmer	Judgt.	8.82
" "		Exrs.	Judgt.	33.31
" "		John Palmer	Acct.	13.00
" 29 th		Wm. H. Wilmer	Judgt.	2.15
Jan 6 th 1863		E. H. Leaverton	Acct.	2.00
" 13 th		A. C. Sudler	"	8.59
" 19 th		M. J. Haddaway	"	10.00
" 27 th		A. W. Gritton	Note	136.34
Feb 10 th		Robt. L. Price	Bal Note	8.00
" "		do.	Account	29.00
" 26 th		do.	Judgt.	115.47
Mar 10 th		Samuel Roberts	do.	15.25
		do.		
		Booker & Newnam	Note	20.00
		assignee of Jno. Denning		
		Sarah Price dec ^d .		
		Assignee of R. L. P. Security	Note	49.62
		for Wm. Gould		86.65
		do		25.00
		Robt. L. Price admn	Accep ^d . Order	2.00
		Wm. Gould	Acct	22.13.
		John Carter		
		Wm. A. Ford & M. Look	Note	\$ 101.45
		Exrs of M. Look		
		Edw. Sudler fees,		7.15
		(Feddeman & Connolly)		52.62
		Bergin & Bontz, J. Rolph agent		23.05
		do do agent		1.25
		A. W. Duhamel	(Fees)	
		Martha W. Peters, assignee of	W. F. Parrott	\$ 1168.91

John Watson

Dated 14th Apl. 1860

In witness whereof Almighty God, touching their knowledge or remembrance of any thing that may relate to the cause aforesaid: and that you cause notice to be given to the parties or their Solicitors of the execution of this Commission before you execute the same: and having reduced the depositions of the witnesses so taken by you into writing, you send the same with this Commission, close under your hand and seal, to the said Circuit Court with all convenient speed. Witness the Honourable Richard B. Barnichal Judge of the said Court, the second day of November eighteen hundred and sixty three.
 Signed the 19th day of February 1864.

Samuel E. Dyott, Clerk,

Commissioner's Oath.

You James Wothers shall, according to the best of your skill and knowledge, truly, faithfully and without partiality, to any or either of the parties in this case, take the examinations and depositions of all and every the witnesses produced and examined by virtue of the Commission hereto annexed, upon the Interrogatories now or which may hereafter, before the said Commission is closed, be produced to and left with you, by either of the said parties, So help you God.

Sworn before,

Jno. H. Rowleson

Clerk's Oath.

You x x x x x x x x x Shall truly, faithfully, and without partiality to any or either of the parties in this case, take note down and transcribe the depositions of all and every the witnesses produced before and examined by the Commissioner named in the Commission hereto annexed, as far forth as you are directed and employed by the said Commissioner to take, write down and transcribe the said depositions, or any of them So help you God.

Sworn before,

And afterwards to wit on the 22^d day of April in the same year, James Wothers Esq. the Commissioner named in the foregoing Commission makes return of the execution of the said Commission in the manner & form following, to wit:

Thomas B. Booker and Edward

B. Neuman Exrs of Daniel

Neuman Dec^d.

vs

In the Circuit Court for Queen Anne's County, in Equity

John G. Wateon Adm^r, & John G.

Wateon & others, Heirs at Law of

John Wateon dec^d.

General Interrogatories to be propounded to Witnesses called by complainants to testify for them before the Commissioner -

1st Were you or not acquainted with John Wateon, late of Queen Anne's County dec^d; if yea, state about what time he died, if he left a widow surviving him, her name and if now living - also if he left any children surviving him, the names of their Mothers, their names, ages and if now living, also if he left any other descendants than children -

2^d Did he die possessed of any Real Estate; if yea describe it and give your opinion of the value thereof -

- 3^d Are you or not acquainted with the hand writing of the late John Watson; if yes, how did you acquire this knowledge, also look at Exhibit F, & state if the signature of "John Watson" thereto is not in his proper hand writing -
- 4th Are you acquainted with John M. Cadue and with his handwriting; if yes, state your means of knowledge and if the signature of "John M. Cadue" across the back of said Exhibit F, now in your hand is not in his proper handwriting, also if he now resides in the state of Maryland,
- 5th Are you or not a Slave Owner and acquainted with the market value of Negro property; if yes state what in your opinion is the market value, either at public or private sale of a sound, healthy negro man, of a sound, healthy negro woman, the average value of negro children, male and female from two to twenty years, & the reasons upon which your opinion is based.
- 6th Look at Exhibit D, and state if you know the negroes named therein or any of them, their market value in your opinion and the reasons therefor - if in your opinion the interest of the representatives and creditors and all in interest are not better subserved by the hiring from year to year as long as they shall be retained of these negroes than by a sale of them & the reason why.

J. B. Brown Sol. for complainant

Special Interrogatory to be propounded to John G. Watson.

1st Did or not said John Watson die largely indebted - Is there or not a large deficiency in his personal estate to pay his debts? In addition to matters already paid & registered is there not a note of six or seven hundred dollars due the Eastern Bank of Maryland for which you have been providing by partial payments & renewals on account of the securities of your father thereto?

J. B. Brown
Sol. for complainant.

At the execution of the annexed Commission issued out of the Circuit Court for Queen Anne's County, and to me directed, empowering me to examine evidences in the cause depending in the said Court, between the Executors of Daniel Newnam, complainants, and the Administrators and heirs of John Watson, Respondents, & James Wothers Commissioners therein named, having taken the Oath annexed to the said Commission, and having given notice to the Solicitors of the parties, did, at Centerville in Queen Anne's County of aforesaid, on the 27th day of February eighteen hundred and sixty four, proceed to take the following depositions.

George M. Smith a witness of lawful age produced and examined on the part of the complainants, being duly sworn and examined to interrogatories filed with and returned by the Commissioners, deposes and says. To the first Interrogatory, He was acquainted with John Watson late of Queen Anne's County deceased, who died in the summer of 1862, leaving a widow named Rachel Watson, now living, as also the following children, John G. Watson, Ann Catherine, Alice, Mollie, Joseph, Fannie and Sallie Watson surviving him, that John G. Ann Catherine and Alice Watson are the children of John and Sallie Watson, and Mollie, Joseph, Fannie and Sallie Watson are the children of John and Rachel Watson, the widow of said John - that all of said children are minors

except John G. Watson, and are all living; and said John left no other descendants than children.

To the second Interrogatory, He did die possessed of real estate, situate in Queen Anne's County, containing about four hundred acres, adjoining the lands of Henry Hollyday and Thomas B. Brooke, and worth from twenty to five dollars per acre.

To the third Interrogatory, He is acquainted with the hand writing of the late John Watson, from having seen him write his name, and he thinks the signature "John Watson", to the paper now shown him marked exhibit F, is in the proper hand writing of the said John Watson.

To the fourth Interrogatory, He is acquainted with John M. Ladue but is not acquainted with his hand writing and does not know where he resides.

To the fifth Interrogatory, He has been, but is not now a slave owner; but he does not consider that at this time, there is here, any market value of negro property, for the reason that the tenure of such property is so uncertain owing to the condition of the times, that he considers them valueless.

To the sixth Interrogatory, He knows the negroes named in exhibit "D" except some of the children, as to their market value he refers to his answer to the fifth Interrogatory, in his opinion the interest of the representatives and creditors and all in interest will be better subserved by the hiring from year to year as long as they shall be retained than by a sale of the said negroes, as people are unwilling to invest money in that species of property owing to the uncertainty of being able to retain their services.

George M. Smith

Dr. Walter S. Turpin a witness of lawful age produced and examined on the part of the complainants, being duly sworn, deposes and says, To the fifth Interrogatory, He is a slave owner, as to the market value of negro property, he refers to the answer of George M. Smith to the said fifth interrogatory and adopts the said answer as his own, To the sixth Interrogatory, He knows George Gleick, but does not consider him worth anything, the others he does not know, He does not consider them worth anything to sell, and would be better for the interest of all interested to hire them, persons being unwilling to invest money in such property.

Walter S. Turpin

Richard C. Feddeman, a witness of lawful age produced and examined on the part of the complainants, being duly sworn, deposes and says,

To the fifth Interrogatory, He is a slave owner, as to the market value of negro property, he refers to the answer of George M. Smith to said interrogatory and adopts said answer as his own.

To the sixth Interrogatory, He does not know said negroes, as to the other part of said interrogatory, he refers to the answer of George M. Smith to said interrogatory and adopts said answer as his own.

R. C. Feddeman

John Palmer a witness of lawful age produced and examined on the part of the complainants, being duly sworn deposes and says, To the fifth Interrogatory, He is a Slave owner, as to the market value of negro property, he refers to the answer of George M. Smith to said interrogatory and adopts said answer as his own, To the sixth Interrogatory, He does not know said Negroes, To the other branches of said Interrogatory, he refers to the answer of George M. Smith to said interrogatory and adopts said answer as his own.

John Palmer.

John G. Watson a witness of lawful age produced and examined on the part of the complainants, being duly sworn deposes and says, To the first Interrogatory, John Watson late of Queen Anne's County, was the father of witness, said Watson died in the summer of 1862 leaving Rachel Watson his widow surviving him, and witness, Ann Catherine, Alice, Mollie, Joseph, Fannie and Sallie Watson his children, all minors except witness, surviving him, and all now living that Sarah G. Watson was the mother of witness, Ann Catherine and Alice, and Rachel J. Watson Mother of the other children -

To the second Interrogatory, He did die possessed of a farm containing over four hundred acres, worth twenty or twenty five dollars per acre.

To the third Interrogatory, He is acquainted with the hand writing of said Watson, having often seen him write, and the signature "John Watson" to Exhibit F. now shown him, is in his proper hand writing.

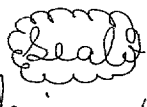
To the fourth Interrogatory, He is acquainted with John M. Ladue and with his hand writing, having often seen him write, and the signature "John M. Ladue" across the back of said Exhibit "F." is in the proper hand writing of said Ladue, but his residence witness does not know.

To the fifth and sixth Interrogatories, and Special Interrogatory number one, witness refers to his answer already filed in this cause.

John G. Watson

The Solicitor for the complainants filed with the commissioners Exhibit A, B, C, D, E, and F, which are herewith returned.

There being no other witnesses to be examined, and neither party desiring further time for the production of evidence, the commissioners closed the said commission and herewith returns the same under his hand and seal, this 27th day of February 1864.

James Wothers 
Commissioner

Costs of executing commission 2
Commissioner 1 day & oath \$ 4.05 }
Witnesses 3.00 } \$ 7.05

Whereupon the court passed the following Decree, to wit: -

Thomas B. Boker & C. P. Newnam.	}	In the circuit court for Queen Anne's County in Equity -
Executors of Daniel Newnam deceased	}	
vs.	}	
John G. Watson Adm. & John G. Watson & others, Heirs at law of John Watson deceased.	}	

This cause standing ready for hearing and being submitted without argument, the proceedings were read and considered - It is thereupon this Twentieth day of April in the year eighteen Hundred and sixty four by the Circuit Court for Queen Anne's County and by the authority thereof adjudge, ordered and decreed that the Real Estate in the proceedings mentioned, or so much thereof as may be necessary for the purpose be sold That John P. Brown of Queen Anne's County, State of Maryland be and he hereby is appointed Trustee to make such sale, and that the course and manner of his proceeding shall be as follows: He shall first file with the Clerk of the Circuit Court for Queen Anne's County a bond to the State of Maryland, executed by himself with a surety or sureties to be approved agreeably to law, in the penalty of Ten 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 that may be made in the premises - He shall then proceed to make sale of said Real Estate, having first given at least three weeks previous notice inserted in some newspaper printed on the Eastern Shore of Maryland and such other notice as he may think proper of the time, place, manner and terms of sale; which terms shall be as follows: Four Hundred dollars of the purchase money to be paid in cash on the day of sale and the balance thereof in three equal instalments, six, twelve and eighteen months from day of sale, said credit portion of the purchase money to bear interest from the day of sale and the payment thereof to be secured by the bonds or notes of the purchaser with a surety or sureties to be approved by the Trustee and as soon as convenient after any such sale or sales the said Trustee shall return to this Court a full and particular account of the same with and 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 this Court and on the payment of the whole purchase (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 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 same, to be disposed of under the directions of this Court, after deducting therefrom the costs of this suit and such commission to the said Trustee as this Court shall think proper to allow in consideration of the skill, fidelity and attention wherewith he shall appear to have discharged his trust

J. P. Ricard.

And afterwards, to wit: on the 29th day of June in the year eighteen hundred and sixty four, John P. Brown Esq. the Trustee named in the foregoing decree files in Court here his bond, in the words following,
To wit:

Know all men by these presents that we, John B. Brown, Madison Brown and Sallie E. Bryan of Queen Anne's County, State of Maryland, are held and firmly bound unto the said State of Maryland in the full and just sum of Ten thousand dollars current money, to be paid to the said State of Maryland or its certain Attorney; to which payment well and truly to be made and done, we bind ourselves and each of us, on and each of our heirs, executors and administrators, jointly and severally, firmly by these presents, sealed with our seals and dated this twenty eighth day of June in the year eighteen hundred and sixty four. Whereas by a decree in the Circuit Court for Queen Anne's County in Equity, bearing date on the twentieth day of April of this present year eighteen hundred and sixty four and passed in a cause in said Court, wherein Thomas B. Booker & E. B. Newnam Executors of Daniel Newnam dec'd are Complainants and John G. Watson Administrator & John G. Watson and others, Heirs at Law of John Watson dec'd are Defendants, the above bound John B. Brown was appointed Trustee to make sale of certain Real Estate in the proceedings in said cause mentioned -

Now the condition of the above obligation is such that if the above bound John B. Brown do and shall well and faithfully perform the trust reposed in him by said Decree or that may be reposed in him by any future Decree or order in the premises, then the above obligation to be void, otherwise to remain in full force and virtue in law.

Signed, sealed and delivered }
 in the presence of }
 Mary C. Sutton }

John B. Brown Seal
 Madison Brown Seal
 Sallie E. Bryan Seal

"The foregoing was thus endorsed. to wit: Security approved & bond filed June 29 1864. D. C. Doyot, Clerk
 Whereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of July next at which said fourth Monday of July in the year eighteen hundred and sixty four comes into Court here as well the said Thomas B. Booker & E. B. Newnam Exrs of Daniel Newnam, dec'd by John B. Brown Esq. their Solicitor and the said John G. Watson Adm'r and John G. Watson & others Heirs at Law of John Watson, dec'd, by John M. Robinson Esq. their Solicitor, Whereupon Rachel J. Watson files in Court here her petition in the words following, to wit:

Thomas B. Booker & E. B. Newnam }
 Executors of Danl. Newnam dec'd. }

vs. }
 John G. Watson Adm'r & John G. Watson }
 & others, Heirs at Law of John Watson }
 deceased }

In Circuit Court for Queen Anne's County in Equity -

To the Honorable James B. Ricard, Judge of the Circuit Court for Queen Anne's County in Equity.

The Petition of Rachel J. Watson of Queen Anne's County to your Honor respectfully sets forth that she is the widow and relict of John Watson, late of County aforesaid dec'd and as such entitled to Dower in the Real Estate decreed to be sold in this cause and that she hereby signifies to this Hon. Court her consent and agreement to a Sale by John B. Brown, Trustee herein, of so much thereof as is embraced in the description of Lots No. 2 & 3 as the same have been laid off by

J. B. Thompson, County Surveyor at the instance of said Trustee, free, clear and discharged of said claim and right of dower therein, and her willingness to accept in lieu thereof such portion of the purchase money that may be obtained therefor as this Court may in its discretion allow her and to this end she submits her rights to the protection of this Court and prays your Honor to pass and order directing and empowering said Trustee to sell said Lots Nos. 2 & 3, free clear and discharged of all claim, right, title interest and estate of Dower therein of your Petitioner and as in duty bound &c

Test:

Joseph C. Wilson

Rachel J. Watson

Whereupon the Court passed the following order, to wit:

Ordered this twenty fifth day of July 1864, by the Circuit Court for Queen Anne's County in Equity and by authority thereof that John B. Brown Trustee heretofore appointed by Decree in this cause to sell the Real Estate in said cause mentioned be and he hereby is directed and empowered in answer to a foregoing petition of Rachel J. Watson, widow and relict of Jno. Watson dec'd. to sell so much of said Real Estate as is embraced in the description of Lots No 2 & 3 as the same have been laid off by County Surveyor, free, clear and discharged of all claim, right, title, interest and estate of Dower therein of said Rachel J. Watson, and that at the time and upon the terms indicated in said Original decree in this cause said Trustee convey in manner in said decree specified said Lots No 2 & 3 to the purchaser or purchasers thereof their heirs or assigns, free clear and discharged of said claim, right, title, interest and estate of Dower therein.

J. B. Ricard,

And afterwards, to wit on the 28th day of July in the year eighteen Hundred and sixty four, John B. Brown Esq. the Trustee named in the afore recited decree files in Court his report of Sale in the manner & form following, to wit:

Exert. of Daniel Newman }
Adm. & Exec. at law of }
John Watson dec'd. }

Circuit Court for Queen Anne's
County In Chancery -

To the Honorable J. B. Ricard Judge of the Circuit Court for Queen Anne's County.

The report of John B. Brown, Trustee in this cause to make Sale of the real estate in the proceedings therein mentioned shows that after filing his bond and giving notice by advertisement in the Maryland Citizen, a Newspaper printed at Centerville, Queen Anne's County of the time, place, manner and terms of Sale as prescribed by the Decree, and also by handbills extensively circulated in Maryland and the adjoining States, he did pursuant to said Notice attend at Centerville on Tuesday the 26th day of July 1864. between 1, and 3, o'clock P. M. and then and there proceed to sell such parts of said Real estate as he thought would probably cover the claims of creditors, having first caused the whole of said Real estate to be surveyed by James B.

Thompson Esq. County Surveyor and divided into four Lots or parcels as will appear by Plat & Certificate thereof herewith returned as part of this report, your Trustee first offered for sale a parcel of land being parts of tracts called "Prophecy" & "Heath's Discovery" containing 73 acres 3 rods and 1 perch more or less and designated in the Plat & Certificate thereof as Lot No. 2, and also a Woodlot in the Southwest corner of lot No. 3, as said Lot No. 3, was originally Platted and certified containing 20 acres and five perches more or less as also appears by said Plat & Certificate and sold the above parcels to Theodore R. Stroughton, he being the highest bidder and purchaser thereof at the sum of nineteen dollars and fifty cents per acre, making in the aggregate the sum of \$1828.85, your Trustee has since received from said purchaser the sum of \$178.67, as his proportion of the cash payment required by the decree and his bond with Wm. K. Sparks as his security for the payment of \$1650.18, the credit portion of the purchase money payable in three equal instalments of six, twelve and eighteen months from the day of sale and interest on each instalment as it becomes due.

Your Trustee next offered Lot No. 3, except the woodlot above mentioned containing by Plat & Certificate thereof 118. acres & perches more or less and sold the same to Mordecai Price for the sum of nineteen dollars per acre, making said purchase in the aggregate amount to \$2242.95 and your Trustee has since received from him the sum of \$221.33 as his proportion of the cash payment required by the decree and taken his bond with William Parcus as security for the payment of \$2021.62 the credit part of the purchase money, in three equal instalments with interest on each instalment as it falls due in six; twelve, and eighteen months from the day of sale, Both of the above sales were made free of Dower of Rachel J. Watson, widow of John Watson decd. on her consent thereto in writing being filed in the cause.

Your Trustee forbore to make any further sale of said Real Estate in the hope that above sales would prove sufficient for the purpose of the Decree.

John B. Brown
Trustee,

State of Maryland, Queen Anne's County, to wit:

On this 29th day of July 1864 before the subscriber a Justice of the peace of the state of Maryland in and for Queen Anne's County personally appeared John B. Brown, Trustee within named and made oath that the matters and things stated in the foregoing report are true to the best of his knowledge and belief and that the sales therein reported were fairly made

Jno. B. Rowleson

Whereupon the Court passed the following Order, to wit:

Exec of Daniel Newman

Admr. & Clerks at law of
John Watson

} Circuit Court for Queen Anne's County
} In Chancery.

Ordered this 28th day of July 1864 that the sales made and reported by John B. Brown, Trustee in the above cause be ratified and confirmed unless cause to the contrary thereof be shown on or before the first Monday of

November next, provided a copy of this order be inserted in some newspaper printed at Centerville, in Queen Anne's County once in each of three successive weeks before the first day of September next. The report states the aggregate amount of Sales to be \$4071.80.

Samuel E. Dyott, Clerk,

The Certificates and Plates referred to in the foregoing report of Sales are in the words and forms following, to wit:

State of Maryland, Queen Anne's County, Set:

I hereby certify that I have surveyed for John B. Brown Esq. Trustee to sell the real estate of John Watson Decd. of Queen Anne's County a tract of land called "Prospect" and "Beulah's Discovery" situated between the Public Road from Spaniards Point to Sands End, and Island Creek, containing four hundred and fifteen acres, three rods and one perch, which I have divided into four parts. Nos. 1, 2, 3, and 4., No. 1. is contained within the following metes and bounds, courses and distances to wit: Beginning at a Tree at the end of a small branch in the Public Road at the end of the first line of No. 2. and running thence with the road North forty four degrees East thirty eight perches and a half perch, North forty one degrees East fifty four perches, and North thirty one degrees East ninety seven perches and a half perch to J. B. Bookers land, thence South seventy seven degrees East twenty perches, thence South seventy two degrees East eighteen perches, thence South sixty five degrees East thirteen perches, thence South forty degrees East fourteen perches, thence South thirty five degrees East four perches, thence South sixty five degrees East eight perches thence South twenty four degrees East eight perches, thence South seventy one degrees East twelve perches, thence South seventy six degrees East twelve perches thence South sixty five degrees East eleven perches, thence South forty nine degrees West twenty four perches, thence South thirty nine degrees West ten perches, thence South two degrees East fifteen perches, thence South seventeen degrees West fifty five perches thence South thirteen degrees West sixty seven perches, thence South forty five degrees West thirty one perches, thence North sixty two degrees West thirty eight perches, thence South thirty five degrees West thirty eight perches, thence South sixty six degrees West nineteen perches, thence North forty six degrees fifteen minutes West eighty two perches and seven tenths of a perch, thence North three degrees thirty minutes West twenty six perches and thence North forty degrees West fourteen perches to the beginning, containing One hundred and eighty four acres, one rod and thirty seven perches of land.

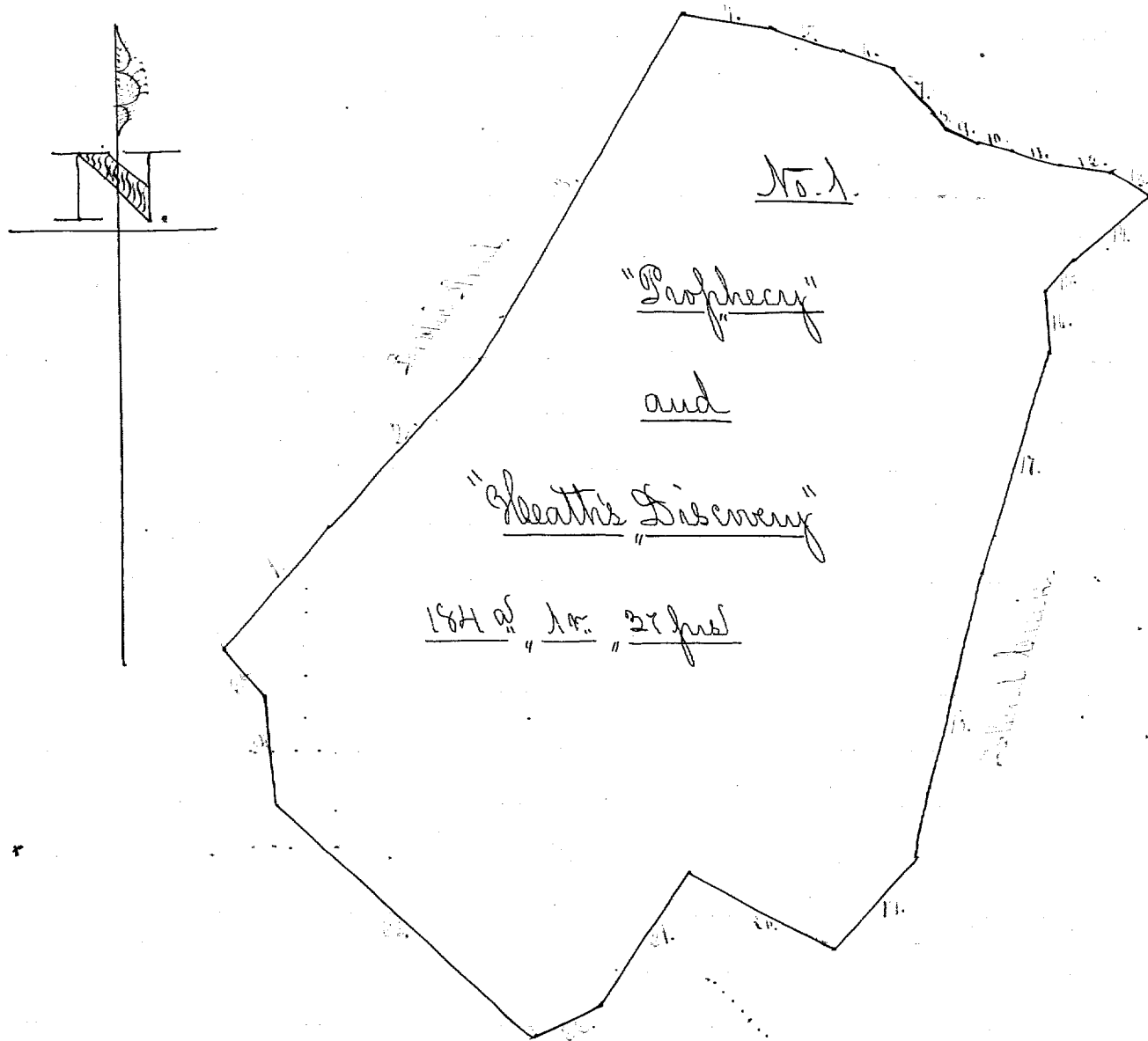
No. 4. is a Wood Lot, laid off to form a portion of Lot No. 1. but detached from it and separated therefrom by Lots No 2 and three and is contained within the following metes and bounds, courses and distances to wit: Beginning in the aforesaid road at the point where the road from the Methodist Church intersects the same and running thence with said road to the Church, South twenty one degrees East thirty six perches South six degrees thirty minutes East forty perches and South twenty degrees East ten perches to a road running through the woods thence with said road South fifty three degrees West eight perches, South twenty eight degrees West twelve perches, South thirty six degrees West fourteen perches, and South seventy two degrees fifteen minutes West thirty seven perches, thence North forty six degrees West eleven perches thence North forty four degrees East forty perches and North forty six degrees West

forty eight perches with a twelve acre Lot sold by Mr John Watson to John Smith and thence with the Public road North forty four degree East seventy perches to the beginning, containing nineteen acres, one rood and thirty perches of land; the whole content of No 1. and 4 combined being two hundred and three acres three roods and twenty seven perches of land.

On the western corner of lot No 4. there is a small lot, containing about a quarter of an acre enclosed, formerly sold to a negro man and which is partly enclosed within the above lines.

James M. Thompson, Surveyor of Q. W. Co. June 18th 1864.
J. M. T.

Note, The above lines were run by the holdings as printed out to me by Mr John G. Watson.

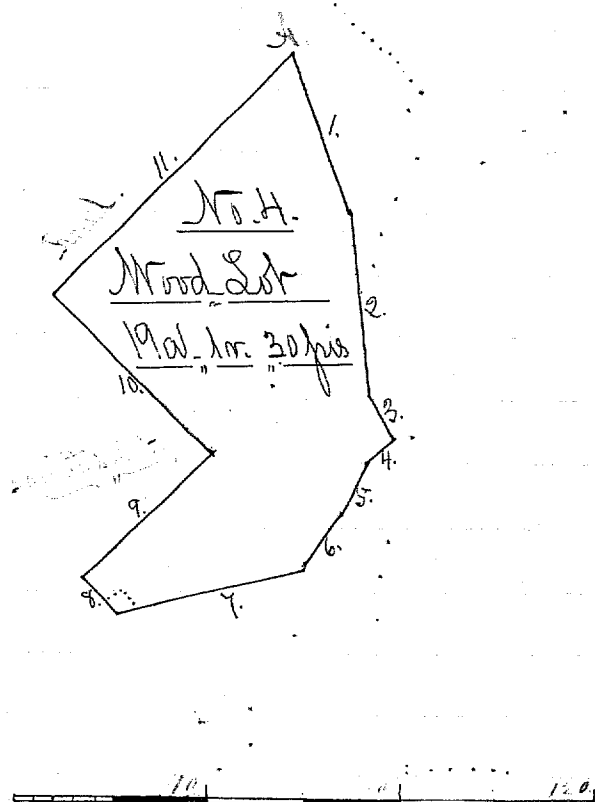


No. 1.

Table of bearings.		
S.	Bearings	Distances
1	N. 44° E.	38 1/2 perches
2	N. 41° E.	54 "
3	N. 31° E.	9 1/2 "
4	S. 77° E.	20 "
5	S. 72° E.	18 "
6	S. 65° E.	13 "
7	S. 40° E.	14 "
8	S. 35° E.	4 "
9	S. 65° E.	8 "
10	S. 74° E.	8 "
11	S. 71° E.	12 "
12	S. 76° E.	12 "
13	S. 65° E.	11 "
14	S. 49° N.	24 "
15	S. 39° N.	10 "
16	S. 2° E.	15 "
17	S. 17° N.	55 "
18	S. 13° N.	67 "
19	S. 45° N.	31 "
20	N. 62° N.	38 "
21	S. 35° N.	38 "
22	S. 66° N.	19 "
23	N. 46° 15' N.	82 1/10 "
24	N. 2° 21' N.	26 "
25	N. 40° N.	14 "
		194 ac. 1 r. 27 perches

No. 4.

Table of bearings.		
S.	Bearings	Distances
1.	S. 21° E.	26 perches
2.	S. 6° 30' E.	40 "
3.	S. 20° E.	10 "
4.	S. 53° N.	8 "
5.	S. 28° N.	12 "
6.	S. 36° N.	14 "
7.	S. 72° 15' N.	37 "
8.	N. 46° N.	11 "
9.	N. 44° E.	40 "
10.	N. 46° N.	48 "
11.	N. 44° E.	71 "
		19 ac. 1 r. 20 perches



June 18th 1864.

James M. Thompson
Surveyor of Q. W. Co.

State of Maryland, Queen Anne's County, &c.:

I hereby certify that I have surveyed for John B. Brown Esq. Trustee to sell the real estate of John Water Dec^d. of Queen Anne's County, a tract of land called "Prophecy" and Heaths Discovery, situated between the public road from Spannaide Point and Lande end, and the waters of Deland Creek containing four hundred and fifteen acres, three rods and one perch of land, which I have divided into four lots Nos. 1, 2, 3, & 4. No. 2, is contained within the following metes and bounds, courses and distances to wit: Beginning on the above named road at the point where the road from Hollingsworth's Mill intersects the same and running thence with the road North forty four degrees East one hundred and thirty one perches and a half perch to the beginning of No. 1., thence South forty degrees East fourteen perches, thence South three degrees thirty minutes East twenty six perches, thence South forty six degrees fifteen minutes East eighty two perches and seven tenths of a perch, thence South sixty three degrees West twenty six perches and four tenths of a perch thence North eighty degrees West eight perches, thence South fifty one degree West twenty perches, thence South fifty degree West twenty perches, thence South thirty six degree West fourteen perches, thence South fifty degrees West twelve perches, thence South sixty two degrees thirty minutes West ten perches, thence South fifty four degrees West eleven perches to the main road from the Mill, thence North forty one degree, West twenty perches, and thence North forty five degrees fifteen minutes West seventy one perches and eight ^{tenths} of a perch to the beginning, containing seventy three acres, three rods and one perch of land,

No. 3. begins in the road at the same point where No. 2. begins, and runs thence with the last line of No. 2. reversed South forty five degrees fifteen minutes East seventy one perches, and eight tenths of a perch, thence South thirty degree West four perches South twelve degrees East ten perches, thence South twenty six degrees West eighteen perches, thence South eight degrees West six perches, thence South thirty degrees West six perches, thence South forty two degrees West ten perches, thence South fifty two degrees West nine perches, thence South fifty six degrees West four perches thence South twenty six degrees West five perches, thence South seventy degrees East thirty two perches, thence South thirteen degrees West twenty four perches thence South fifteen degrees West six perches, thence South seven degrees West ten perches and three quarters of a perch, thence South seventy eight degrees West seventeen perches and a half perch, thence South twenty eight degrees West eighteen perches, thence South five degrees West eight perches, thence South fifty degrees West eight perches, thence South twenty nine degrees West eight perches, thence South forty degrees West eight perches, thence South seventy eight degrees West ten perches to a stone, thence South forty four degrees West seventy three perches, to a stone, thence North forty six degrees West eighty perches to a point in front of a small house upon a lot a portion of which is enclosed within these lines thence North seventy two degrees thirty minutes East thirty seven perches, thence North thirty six degrees East fourteen perches, thence North twenty eight degrees East twelve perches thence North fifty three degrees East eight perches, thence with the Public road from the Methodist Church North twenty degrees West ten perches North six degrees thirty minutes West forty perches, and North twenty one degrees West thirty six perches to the road to Lande end

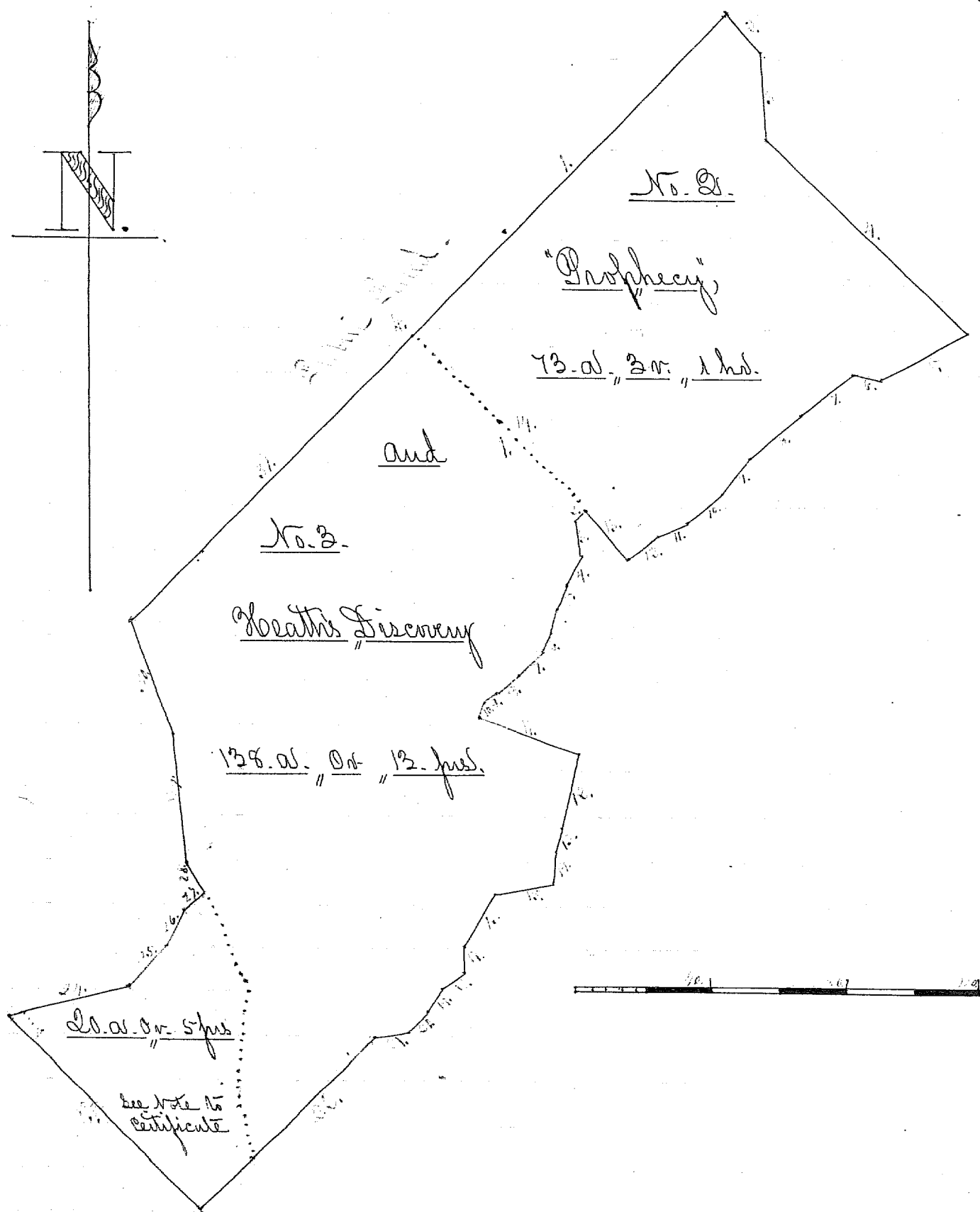
and with the road North forty four degrees East one hundred and nineteen perches to the beginning, containing one hundred, and thirty eight acres and thirt-
een perches of land,

James B. Thompson
Surveyor of S. A. Co.
June 18th 1864

Note: The above lines were run by the holdings as pointed out to me by Mr. John
L. Bratton.
J. B. T.

Note: Since the foregoing survey was made, the State has had a woodlot
surveyed on the South corner of No. 3, to accompany Lot No. 2, as follows,
Beginning at the end of fifty one perches on the 22^d line of No. 3, and running
thence South forty four degrees West twenty two perches thence North forty six
degrees West eighty perches, thence North twenty two degrees thirty minutes
East thirty seven perches, thence North thirty six degrees East fourteen perches,
thence North twenty eight degrees East twelve perches, thence North fifty three
degrees East eight perches, thence South twenty four degrees East thirty two
perches, thence South one degree West thirty one perches and thence South
fifteen degrees East eighteen perches to the Beginning, containing twenty
acres and five perches of land.

James B. Thompson
July 7th 1866



No. 2.

Table of courses		
S.	Bearings	Distances
1.	S. 45° 15' E.	71 ⁷ / ₁₀ fms
2.	S. 30° 34'	4 "
3.	S. 12° E.	10 "
4.	S. 26° 34'	18 "
5.	S. 8° 34'	6 "
6.	S. 30° 34'	6 "
7.	S. 42° 34'	10 "
8.	S. 52° 34'	9 "
9.	S. 56° 34'	4 "
10.	S. 26° 34'	5 "
11.	S. 70° E.	32 "
12.	S. 13° 34'	24 "
13.	S. 15° 34'	6 "
14.	S. 7° 34'	10 ³ / ₄ "
15.	S. 78° 34'	17 ¹ / ₂ "
16.	S. 28° 34'	18 "
17.	S. 5° 34'	8 "
18.	S. 50° 34'	8 "
19.	S. 29° 34'	8 "
20.	S. 40° 34'	8 "
21.	S. 78° 34'	10 "
22.	S. 44° 34'	73 "
23.	N. 46° 34'	80 "
24.	N. 72° 30' E.	37 "
25.	N. 36° E.	14 "
26.	N. 28° E.	12 "
27.	N. 53° E.	8 "
28.	N. 20° 34'	10 "
29.	N. 6° 30' 34'	40 "
30.	N. 21° 34'	36 "
31.	N. 44° E.	119 "
138. a. or		13 fms.

No. 2.

Table of courses.		
S.	Bearings	Distances
1.	N. 44° E.	13 ¹ / ₂ fms
2.	S. 40° E.	14 "
3.	S. 3° 30' E.	26 "
4.	S. 46° 15' E.	82 ¹ / ₁₀ "
5.	S. 63° 34'	26 ⁴ / ₁₀ "
6.	N. 80° 34'	8 "
7.	S. 57° 34'	20 "
8.	S. 50° 34'	20 "
9.	S. 36° 34'	14 "
10.	S. 50° 34'	12 "
11.	S. 62° 30' 34'	10 "
12.	S. 54° 34'	11 "
13.	N. 41° 34'	20 "
14.	N. 45° 15' 34'	71 ⁷ / ₁₀ "
73 a. or		1 fms.

James S. Thompson
 Surveyor of S. A. Co.
 June 18th 1864.

Thereupon further process of and upon the premises of our said is further continued until the first Monday of November next at which said first Monday of November in the year eighteen hundred and sixty four comes into term here as well the said Thomas P. Booker and Edward P. Newman by John P. Brown Esq. their Solicitor and the said Defendants by their Solicitor of our said, Thereupon the court passed the following order, to wit:

And the Circuit Court for Queen Anne's County in Equity, Nov Term 1864. Ordered on this 12th day of November 1864. that the sale within reported be and the same is hereby finally satisfied and confirmed, no cause to the contrary thereof having been shown although notice appears to have been given as directed by the preceding order - The Auditor will allow the Comtee the usual commission on amount of sales and ordinary bills of expenses

J. P. Ricard

Therefore the following affidavit was filed, to wit:

State of Maryland, Queen Anne's County to wit: On this 6th day of September 1864, before the subscribed a Justice of the Peace of the State of Maryland in and for Queen Anne's County personally appeared Benjamin Wilson and made oath on the Holy Evangelists of Almighty God, that he is well acquainted with Mrs Rachel Jane Watson, widow of John Watson late of Queen Anne's County deceased; that he is uncle to said Rachel Jane Watson and that she is now about thirty four years of age and that she is of ordinary good health to the best of his knowledge and belief.

I sworn before
Jno. H. Rowleson

Therefore the court passed the following Order, to wit:

Thomas B. Booker & Co. }
B. Newnam executor of }
Daniel Newnam dec'd }
vs. }
John G. Watson admors of }
John Watson dec'd & John G. }
Watson & others, Heirs at }
Law of John Watson dec'd }

In the Circuit Court for
Queen Anne's County,
In Equity.

Rachel J. Watson, widow and relict of John Watson, late of Queen Anne's County dec'd having heretofore filed her written consent and agreement to the sale by John B. Brown, Trustee in this cause of Lots No 2 & 3 of the Real Estate described herein free clear and discharged of her dower interest interest and estate therein and her willingness to accept in lieu thereof such proportion of said sales as this court should see fit to allow her, and the Trustee having reported the gross amount of said sales to be the sum of \$ 4071.80, and said sales having been finally ratified and confirmed and this court being satisfied of the age and health of said Rachel J. Watson by the affidavit of Benjamin Wilson filed in the cause, It is therefore this twelfth day of November 1864 by the Circuit Court for Queen Anne's in Equity and by the authority thereof adjudged and ordered that said Rachel J. Watson do and she hereby is entitled to one seventh of said gross amount of sales or the sum of five hundred and eighty one dollars and sixty eight ⁷/₇ cents, and that the Trustee pay over to her accordingly as soon as he shall have sufficient funds in hand.

J. B. Ricard

Therefore further process of and upon the premises aforesaid is further continued by regular continuances from term to term of said court until the first Monday of January in the year eighteen hundred and sixty seven, at which said first Monday comes into court here as well the said Thomas B. Booker & Co. B. Newnam by their Solicitors aforesaid and the said Defendants by their Solicitors as aforesaid, And afterwards to wit: on the 26th day of April in the year aforesaid, Philemon B. Hoopes Esq. the Auditor of said court files in court here his report in the manner & form following, to wit:

Newton's Exrs

vs

Heirs & admrs. of Jno. G. Watson

3
3

In the Circuit Court for Queen Anne's
County, setting in Equity.

To the Hon. J. M. Robinson, Judge

The Auditor reports that he has examined the proceedings in this cause and has therefrom prepared the proceeding account between the Real Estate of John Watson decd. and John P. Brown Esq. Trustee for the sale thereof; in which; he has allowed to the Trustee his commission and expenses, the complainants and Defendants each their costs of suit and the Auditor his fee for stating acct &c. He applied the proceeds of sale and the interest thereon which had been collected, and the balance of the proceeds of sale with interest added thereon to the date of the account which the Trustee was willing to account for, first in payment of those claims which had been paid by the Trustee and afterwards to the payment of claims filed which had not been paid, which was done by request of Trustee for the purpose of seeing what deficiency would exist after exhausting the proceeds of sale and the interest received and to be received thereon, with a view to making arrangements for the payment of the deficiency, In allowing the claims paid by the Trustee the Auditor has not brought the interest down to the date of this account but has allowed only so much as was actually paid by the Trustee, except in one or two instances when there were no funds collected by the Trustee, in those excepted cases he allowed interest down to the period when according to the written statement of the Trustee there were funds in hand, The Trustee having paid claims as they were presented whenever there were funds in hand, the Auditor has deemed the principal of stating the account to be a correct one; The Trustee paid to prevent an accumulation of interest on claims when there was money in hand to pay them, and thereby make a saving to the estate, and while the Auditor thinks they should be allowed for the amounts paid he did not think it proper to allow interest beyond the payment, the account shows a deficiency of \$2128.56 for the payment of all the debts after allowing commissions expenses cost &c - all of which is respectfully submitted,

P. P. Hojfer, Auditor,

D^y The Real Estate of John Watson dec'd. in acct with J. P. Brown

1867.	To the Trustee for his commission			207	87
Jan'y 22 ^d	To the Trustee for his expenses			62	40
	To the complainants for their costs of suit			79	05
	To the Defendants for their costs of suit			16	25
	To the Auditor for his fee			13	50
	To cash paid widow for her dower interest fixed by court			581	69
	To cash paid John H. Evans, claim	No. 1.		184	88
	To cash pd. Bringer + Pontz, claim	No. 2.		38	15
	To cash pd. Same "	No. 3.		59	70
	To cash paid S. Cook Executors, claim	No. 4.		131	32
	To cash paid Hoopes + Wilmes, claim	" 5.		186	80
	To cash paid Same "	" 6.		2	15
	To cash paid Smith + Bennett, claim	No. 7.		76	95
	To cash paid John H. Evans, claim	No. 8.		174	28
	To cash paid Robert G. Price, claim	No. 9.		78	91
	To cash paid Same claim	No. 10.		196	18
	To cash paid Exrs of Danl. Newnam claim	No. 11.		195	52
	To cash paid Hoopes + Wilmes "	No. 12.		5	07
	To cash paid claim Jno. J. Moore	No. 13.		1	50
	To cash paid Barnichal + Brown claim	No. 14.		78	05
	To cash paid Mr. Brown claim	No. 15.		29	49
	To cash paid D. C. Co. Tenory D. claim	No. 16.		89	95
	To cash paid Jno Wilkinson claim	No. 17.		312	17
	To cash paid J. M. Ladue use P. Potts claim	No. 18.		24	80
	To cash paid Mallalieu + Bro. claim	No. 19.		15	23
	To cash paid A. C. Sudler D. claim	No. 20.		2	58
	To cash paid R. M. Anderson admr + c claim	No. 21.		265	73
	To cash paid Branch claim	No. 22.		10	34
	To Amount carried over			\$ 3120	57
1867	To Amount brought over			\$ 3120	57
Jan'y 22 ^d	To Parrott + Keating use J. P. Brown claim	No. 23.		21	36
	To Same use of The Union Bank of Maryland	" 24.		426	58
	To the Eastern Bank of Maryland use J. P. Brown	" 25.		887	29
	To John M. Robinson use of J. P. Brown claim	" 26.		28	04
	To Samuel Roberts use of J. P. Brown	" 27.		181	13
	To Martha W. Peters use of J. P. Brown	" 28.		1504	39
	To Wm Knotts + Bro. use of John Palmer	" 29.		26	85
	To R. W. Reamy	" 30.		38	39
	To Same	" 31.		10	44
	To J. W. Denning use Exrs of Danl Newnam	" 32.		27	42
	To Gortzberg + Stiefel	" 33.		38	56
	To Jno G. Watson admr overpayment or fee, estate	" 34.		1	37
	To James P. Dudley	" 35.	1	37	58
				6379	91

Esq. Trustee for the Sale thereof

Lm.

1867	By amount of cash payment	400	00
Jan 22	" Amount of principal collected on deferred payments	2571	67
	" Amount of interest received on same	46	48
	" Amount of principal due on judgment uncollected	1100	12
	" Amount of interest due on same to 22 Jan 67.	166.40	
	Less 5 per cent commission of atty on \$1266.52 to be collected	63.32	
	By amount carried over	4221	35
1867	By amount brought over	4221	35
Jan 22	By amount of Deficiency	2128	56
		6349	91

Thereupon further per cis of and upon the premises is further continued until the first Monday of May next at which said first Monday of May * * * in the year eighteen hundred and sixty seven, learned into court here as well the said complainants by their Solicitor aforesaid and the said Defendants by their Solicitor aforesaid, Thereupon the court passed the following order, to wit:

In the Circuit Court for Queen Anne's County in Equity May Term 1867. Ordered on this 23rd day of May 1867 that the foregoing report of the Auditor be and the same is hereby ratified and confirmed and the Trustee is directed to apply proceeds received and as they shall come to his hands accordingly, payments heretofore made by him are hereby ratified and confirmed as set forth in this Report, and for the deficiency of the proceeds of Sale of said Real estate to pay the debts of John Waterman dec^d. as ascertained by this Audit there shall be a credit endorsed by the clerk of this Court upon the bond filed by John G. Waterman who elected to take the Real estate of John Waterman dec^d. at a valuation on the law side of this Court after deducting his just proportion of said deficiency, upon his producing satisfactory evidence to this Court of the payment of said deficiency, or in case said Trustee shall pay said deficiency, upon his making satisfactory arrangements with said Trustee to pay or refund him the amount so paid by said Trustee -

Jno. M. Robinson

① ②

Wm. Kelly & Hooper

vs.

J. Palmer Ashcom

Wm. Kelly & Hooper

vs.

J. Palmer Ashcom

Be it remembered that on the thirtieth day of May in the year Eighteen Hundred and sixty six Pere. F. J. Blake Constable in pursuance of the act of Assembly in such cases made and provided files in Court here the following papers, to wit:

Attachment issued to P. F. J. Blake Constable 29th of January 1866, returnable 23rd day of February 1866. Attachment returned and judgment of condemnation rendered in favor of Plaintiff Feb 28th 1866, for \$ 82.95 debt, with interest + \$ 11.31 costs

copy from my Docket.

W. M. Arlett J.P.

State of Maryland, Queen Anne's County, to wit:

To P. F. J. Blake Constable Whereas, W. M. Arlett, one of Justices of the Peace in and for the said County, on the 29th day of January 1866, did issue a certain writ of attachment upon the oath of William J. McKeely & John B. Hooper therein recited, and the production of the amount therein mentioned, directed to P. F. J. Blake, Constable of said County, commanding him to attach and safe keep the lands, Tenements, goods, chattels, rights & credits of John Palmer Ashcom, to satisfy unto the said William J. McKeely & John B. Hooper, the sum of \$ 82.95 alleged by the said Wm. J. McKeely & John B. Hooper to be due and owing from the said J. Palmer Ashcom, and the costs of the said attachment, according to form of the provisions of the Code in such cases made & provided; and Whereas, the said P. F. J. Blake, as Constable aforesaid did afterwards return the said writ, as he was thereby required, to the said Justice and did certify to the said Justice that by virtue thereof he had attached a certain vacant lot of ground, to wit:

J. Palmer Ashcom interest in a vacant lot of ground situated on the corner of Liberty Street and Lawyers row in the Town of Centerville Queen Anne's County Maryland, as by the Schedule thereof returned with the said writ, doth appear, and whereas, afterwards, to wit, on the 23rd day of February 1866, by the consideration & judgment of the said Justice, the said vacant lot of ground was condemned as the proper lot of ground of the said J. Palmer Ashcom, to satisfy unto the said Wm. J. McKeely & John B. Hooper, the debt and costs aforesaid, according to the provisions of the Code in such cases made & provide;

And whereas on the 28th day of February 1866, the said Wm. J. McKeely & John B. Hooper, did before the said Justice give bond and security, as directed by direction of the said Justice, to and for the use of the said John Palmer Ashcom conditioned to make restitution of the said lot of ground as aforesaid condemned, or the value thereof &c according to Act of Assembly in such cases made & provided, whereupon the said Justice on the day and year last aforesaid did award execution of fieri facias to be had and made of the said vacant lot of ground so as aforesaid condemned, towards satisfying unto the said Wm. J. McKeely & John B. Hooper as well the aforesaid sum of \$ 82.95 (with interest if any) as the said sum of \$ 11.31 adjudged to him for his costs by them laid out and expended in the prosecution of the said writ of attachment

+ additional costs thereon.

You are therefore hereby commanded, of the vacant lot aforesaid, being in the town aforesaid, you cause to be made & levied, the debt, interest & cost aforesaid, and have you the money before me on the 30th day of March next, to render unto the said Wm. J. Mo^{ty} Feely & John B. Hooper the debt interest & cost aforesaid, thereof fail not and have you then and there this writ.

In Witness whereof, I have set my hand and seal this 28th day of February 1866.

A. M. Arlett J. P.

By virtue of the annexed writ of fieri facias to me directed by Aaron M. Arlett Esq. I seized all the right, title and interest of the within named J. Palmer Ashcom, in and to all that lot or parcel of ground situated in Centreville Queen Anne's county on the street called Lawyers Row and at or near the corner of Liberty Street, being the same lot or parcel of land which is described in a deed from Thomas Ashcom to Thomas Ashcom Jr. and Susan Cook bearing date the tenth of May Eighteen Hundred and fifty two duly executed and recorded in Liber J. P. No. 1, folios 145 & 146, one of the land records for Queen Anne's Co. and having caused notice a copy of which is herewith returned, to be published at least twenty days before the day of sale in the "Maryland Citizen" a newspaper published in the Town of Centreville aforesaid and to be set up at the Court House door of said County twenty days before the day of sale, I exposed at public auction in front of the Court House in said Town all the right, title claim and estate of the said J. Palmer Ashcom in and to the aforesaid lot or parcel of land, on Tuesday the 27th day of March last, at which time and place William J. Mo^{ty} Feely and John B. Hooper trading in the name of Mo^{ty} Feely & Hooper bid the sum of eighty five dollars cash therefor, which being the highest bid that was offered, I sold the said property to the said Wm. J. Mo^{ty} Feely & John B. Hooper for the said sum of \$85.00 cash, and now make return of my proceedings in and about the premises according to Law.

P. F. J. Polake, Const.

Wm. J. Mo ^{ty} Feely & J. B. Hooper &c	}	Judgment of condemnation on attachment
vs		
J. Palmer Ashcom	}	before A. M. Arlett Justice, to pay the sum of \$82.95 with interest & \$11.31 costs of suit &c

The subscribers having purchased the real estate of the above named J. Palmer Ashcom at a sale thereof, in virtue of an execution filed on the foregoing Judgment made on the 27th March 1866, by P. F. J. Polake Constable, hereby give notice they intend to apply to the Judge of the Circuit Court for Queen Anne's County at its session to be held in Centreville on the first Monday of August next for a confirmation of said sale, when and where the said Defendant or his creditors or any other person or persons claiming any interest in the matter will have an opportunity of stating their objections if any they have, why the sale should not be confirmed and for that purpose are hereby warned to appear. The property purchased by the subscribers consists of all the right,

title, interest and claim of the said J. Palmer Ashcom in and to a lot of ground in town of Centreville on the street called Lawyers Row and at or near the corner of Liberty Street and which is described in a deed from Thomas Ashcom to Thomas Ashcom Jr. and Susan look dated tenth of May 1852 and recorded in Liber J. P. No. 1. folios 145 + 146 one of the Land records for Queen Anne's county and which was struck off for the sum of Eighty five Dollars,

J. J. McGeely
John B. Hooper

Ordered this 30th day of May 1866, that the sale above mentioned be ratified and confirmed unless cause to the contrary be shown on or before the first Monday of August next, provided a copy of the above notice be inserted in some newspaper published in Centreville Queen Anne's county once a week for three successive weeks before the 25th day of July next.

Jno. W. Robinson

And afterwards, to wit: on the 29th day of January in the year eighteen hundred and sixty seven, the court passed the following order, to wit:

Ordered this 29th day of January in the year eighteen hundred and sixty seven that the within reported sale be finally ratified and confirmed no cause to the contrary having been shown although notice seems to have been given as required by the proceeding order.

Jno. W. Robinson

Isaac H. Wilson

vs.

Lewin Pennington
Thomas F. Harrington
Jas. W. Harrington
Mary Harrington

Be it remembered that on this fourteenth day of January in the year eighteen hundred and sixty five, Isaac H. Wilson by Thomas J. Keating Esq. his Solicitor files in the Circuit for Queen Anne's County his bill of complaint against the said Lewin Pennington, Thomas F. Harrington, James W. Harrington and Mary Harrington in the manner and words following, to wit:

To Honorable John M. Robinson Judge of the Circuit Court for Queen Anne's County in equity-

The bill of complaint of Isaac H. Wilson of * * * * * County in the State of * * * * * humbly shows that your orator is seized in fee of one undivided half part of a tract of land, situate in Queen Anne's County, in the State of Maryland, on the road leading from Leche's Bridge to Millington, about two and a half miles from Millington, called "The Pearl Land" or "The Pearce Land," adjoining lands of which the late William Emory formerly owned a part, and containing one hundred acres of land more or less - that your orator is also possessed of a freehold estate, for the life of a certain Mary J. Pennington, in one undivided thirty sixth part of said land - that a certain Lewin Pennington is seized of one undivided fourth part of said land subject to said free hold estate and that a certain Thomas F. Harrington is possessed of a life estate, as tenant by the courtesy, in the remaining one undivided fourth part of said land and that your orator owns and is entitled to one half the reversion, and a certain James W. Harrington one fourth the reversion, and a certain Mary Harrington one fourth the reversion, in said remaining undivided fourth part of said land -

And your orator charges that the said Lewin Pennington is an infant under the age of twenty one years and a resident of Cecil County that the said Mary Harrington is an infant under the age of twenty one years, and that the said Mary Harrington and the said Thomas F. Harrington are respectively residents, of Queen Anne's County and that the said James W. Harrington is also a resident of Queen Anne's County and, as your orator is informed, a volunteer temporarily, enlisted in the army of the United States, and in service beyond the limits of the State of Maryland - And your orator further charges that the said lands and the said rights, interest and estate therein can not be divided without loss and injury to the parties interested and that it will be for the interest and advantage of the said Lewin Pennington, Thomas F. Harrington, James W. Harrington, Mary Harrington and of your orator to sell the aforesaid land and to divide the proceeds thereof between the parties in the proportions of their respective interests by your orator is advised that a sale thereof can not had with the assistance of this court -

To the end therefore that the said Lewin Pennington Thomas F. Harrington, James W. Harrington and Mary Harrington may answer the premises and that a decree may pass for the sale of the aforesaid land and the proceeds of said sale be distributed between the said Lewin Pennington, Thomas F. Harrington, James W. Harrington, Mary Harrington and your orator in the proportion of their respective interest and that your orator may have such other and further relief as his case may require -

May it please your Honor to grant unto your orator, writ of Subpoena against the said Lewin Pennington of Cecil County and the said Thomas F. Harrington, James W. Harrington and Mary Harrington of Queen Anne's County, commanding them to appear in this court at some certain day to be therein named to answer the premises and abide by and perform such decree as may be passed therein and as in duty bound &c.

Thos. J. Keating
Solv. for complainant

Whereupon Subpoena was issued in form & words following, to wit:
Queen Anne's County, to wit:

Seal
Circuit
Court
Queen Anne's
County

The State of Maryland,
To Lewin Pennington of Cecil County, Greeting: You are hereby commanded that all excuses and delays set aside you appear before the Circuit Court for Queen Anne's County, to be held at Centerville, in said County on the fourth Monday of January 1865. To answer unto the Bill of Complaint of Isaac H. Wilson, against you in the said Court exhibited:

Hereof fail not, as you will answer the contrary at your peril:

Witness the Honorable John M. Robinson Judge of our said Court the fourteenth day of January 1865.

Samuel C. Dyott, Clerk,

Exp. Revenue
L.C. J.
Jan'y 14. 1865
cents.

Queen Anne's County, to wit:

Seal
Circuit
Court
for
Queen Anne's
Co.

The State of Maryland,
To Thomas F. Harrington, James W. Harrington, and Mary Harrington, of Queen Anne's County, Greeting: You are hereby commanded that all excuses and delays set aside, you appear before the Circuit Court for Queen Anne's County to be held at Centerville in said County, on the fourth Monday of January 1865, to answer unto the Complaint of Isaac H. Wilson, against you in the said Court, exhibited: Hereof fail not at your peril,

Witness the Honorable John M. Robinson Judge of our said Court the fourteenth day of January 1865.

Samuel C. Dyott, Clerk,

Thereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of January next, at which said fourth Monday of January in the year eighteen hundred and sixty five, came into Court here
x x x the said Isaac H. Wilson by Thomas J. Keating Esq. his Solicitor
And William F. Ford Esq. Sheriff of Queen Anne's County, makes return of the afore recited Subpoena, thus endorsed, to wit:

Summoned, Thomas F. Harrington, Mary Harrington,
Now Est. James W. Harrington
Wm. F. Ford, Sheriff.

And James B. Price Esq. Sheriff of Cecil County, makes return of the afore recited Subpoena, thus endorsed to wit: Now Est.

James B. Price
Sheriff

Whereupon Mary Harrington appears in court, and being a minor, the court appoints John Palmer Esq. her Guardian to answer and defend for her.

And thereupon Thomas F. Harrington appears in court by Philemon B. Hooper Esq. his Solicitor.

Whereupon a Second Subpoena was issued for James W. Harrington in form and words following, to wit:

Queen Anne's County

Seal
The State of Maryland,
Circuit Court: To James W. Harrington of Queen Anne's County, greeting:
Queen Anne's County: You are hereby commanded that all excuses and delays set aside, you appear before the circuit court for Queen Anne's County to be held at Centerville in said County on the first Monday of May next to answer unto the complaint of Isaac H. Wilson against you in the said court exhibited: Hereof fail not as you will answer the contrary at your peril.

Witness the Honorable John M. Robinson Judge of our said court the 31st day of January 1865.

Saml. E. Dyott, Clerk,

Thereupon further process of and upon the premises aforesaid is further continued until the first Monday of May next, at which said first Monday of May in the year eighteen hundred and sixty five come into court here as well the said Isaac H. Wilson by Thomas F. Keating Esq. his Solicitor and the said Thomas F. Harrington and Mary Harrington by Philemon B. Hooper Esq. their Solicitor.

And thereupon William J. Ford Esq. Sheriff of Queen Anne's County makes return of the aforesaid Subpoena thus endorsed, to wit:

You test: Wm. J. Ford, Sheriff.

Thereupon a Second Subpoena was issued for Lewin Pennington in the form and words following, to wit:

Queen Anne's County, to wit:

Seal
The State of Maryland,
Circuit Court: To Lewin Pennington of Cecil County, greeting: You are hereby commanded that all excuses and delays set aside, you appear before the circuit court for Queen Anne's County, to be held at Centerville in said County on the fourth Monday of July next to answer unto the Bill of complaint of Isaac H. Wilson, against you in the said court exhibited.

Hereof fail not, as you will answer the contrary at your peril.

Witness the Honorable John M. Robinson Judge of our said court the first Monday of May 1865.

Issued the 13th day of June 1865.

Samuel E. Dyott, Clerk,

Whereupon the court passed the following Order of Publication, to wit:

Isaac H. Wilson }
vs }
Lewin Pennington } On the Equity side of the circuit court
James W. Harrington } for Queen Anne's County.
Mary Harrington }
Thomas F. Harrington }

The object of this suit is to procure a decree for a sale of certain real estate situate in Queen Anne's County on the road leading from Chester Bridge to Millington and known as "The Pearl Land" or "The Pearce Land".

The bill states that the complainant Isaac H. Wilson and the defendants Lewin Pennington, James W. Harrington, Mary Harrington and Thomas J. Harrington are respectively entitled to an undivided interest in said real estate which is particularly described and set forth in the bill that said real estate and the respective interests and estates of the said complainants and the said Defendants therein can not be divided without loss and injury to the parties interested and that it will be for the interest and advantage of the said parties to sell the aforesaid real estate and to divide the proceeds thereof between said parties in the proportion of their respective interest - and that the said James W. Harrington is a resident of Queen Anne's County and a volunteer temporarily enlisted in the Army of the United States and in service beyond the limits of the State of Maryland. The proceedings in this suit show that two successive Subpoenas against the said James W. Harrington have been returned "Non Esti." by the Sheriff of Queen Anne's County, It is therefore adjudged and ordered that the complainant by causing a copy of this order to be inserted in some newspaper published in Centerville once in each of four successive weeks before the eighth day of August give notice to the said James W. Harrington of the object and substance of this bill and have him to appear in this Court in person or by solicitor on or before the eighth day of November next to answer the premises and show cause if any he has why a decree ought not to pass as prayed -

J. E. Dyott, Clerk,

Thereupon James P. Price Esq. Sheriff of Cecil County, makes return of the above recited Subpoena, thus endorsed, to wit:

Summoned

J. P. Price, Sheriff,

Thereupon Commission was issued in the manner and form, to wit:

Queen Anne's County, to wit:

Deal
Circuit
Court
Queen Anne's
County

The State of Maryland, To Frances P. Merrickshanks of Cecil County and State of Maryland, greeting: Whereas Isaac H. Wilson has filed his bill of complaint in the Circuit Court for Queen Anne's County, as a Court of Equity, setting forth that he is seized in fee of one undivided half part of a tract of land situate in Queen Anne's County, in the State of Maryland on the road leading from Chester Bridge to Millington about two and a half miles from Millington, called "The Pearl Land" or "The Pearce Land", adjoining lands of which the late William Emory formerly owned a part, and containing one hundred acres of land more or less, that he is also possessed of a fee hold estate for the life of a certain Mary J. Pennington in one undivided thirty sixth part of said land, that a certain Lewin Pennington is seized of one undivided fourth part of said land subject to said fee hold estate, and that a certain Thomas J. Harrington is possessed of a life estate as tenant by the curtesy, in the remaining one undivided fourth part of said, and that the said Isaac H. Wilson is entitled to one half of the reversion, and a certain James W. Harrington one fourth of the reversion and a certain Mary Harrington one fourth of the reversion in said remaining undivided fourth part of said land, that the said Lewin Pennington is an infant

under the age of twenty one years and a resident of Cecil County that the said ^{Mary} Harrington is an infant under the age of twenty one years, and that the said Mary Harrington and the said Thomas F. Harrington are respectively residents of Queen Anne's County and that the said James W. Harrington is also a resident of Queen Anne's County, and a volunteer temporarily enlisted in the army of the United States, and in service beyond the limits of the State of Maryland, and that the said lands and the said rights interests and estates therein can not be divided without loss and injury to the parties interested and that it will be for the interest and advantage of the said Lewin Pennington, Thomas F. Harrington, James W. Harrington, Mary Harrington and Isaac B. Wilson to sell the aforesaid land and to divide the proceeds thereof between the parties in the proportions of their respective interests. But inasmuch as the said Lewin Pennington is an infant under the age of twenty one years, and can not answer the said Bill nor defend this suit without having a guardian assigned in that behalf; Be it therefore known that the said Court has given unto you full power and authority to assign and appoint a guardian for said infant, and to take the answer of said infant by such guardian, to the said Bill and you are hereby requested that at such day and place as you shall think fit, you go to said infant, if he cannot conveniently come to you, and assign and appoint a guardian to said infant and take the answer of said infant to the said Bill on such guardian's corporal oath or affirmation to be administered by you, the said answer being distinctly and plainly written, and when you shall have taken said answer, you are to send the same close under your hand and seal together with your certificate of your having assigned such guardian as aforesaid and this writ unto the said Court.

Witness the Honourable John M. Robinson Judge of said Court the twenty fourth day of January 1865.

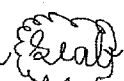
Dated the 23^d day of October A.D. 1865.

Samuel E. Dryott, Clerk,

Therefore Francis B. Crookehank Esq. the Commissioner named in the aforesaid Commission makes return of the execution of said Commission in the manner and form following, to wit:

To the Honourable John M. Robinson Judge of the Circuit Court for Queen Anne's County.

The subscriber being the Commissioner named in the annexed Commission, hereby certify, that in execution of the powers thereby rested in him he did on the first day of November in the year 1865 proceed to the dwelling house of John F. Wilson in Cecil County Maryland where the said Lewin Pennington the infant named in said Commission then was, and caused the said infant to be brought before me and then and there in the presence of the said infant assigned and appointed John F. Wilson of Cecil County Guardian to said infant and took the answer of the said infant by his said Guardian under the oath said Guardian by me administered to the Bill of Complaint in said Commission mentioned, which said answer with said Commission is herewith returned closed under my hand and seal this * * * * day of * * * * 1865.

Francis B. Crookehank 

The answer of Lewin Pennington infant under the age of twenty one years by John T. Wilson his guardian to the Bill of Complaint of Isaac H. Wilson against him and others exhibited.

This defendant cannot admit any of the matters and things alleged in said Bill and being an infant of tender years submits his rights to the protection of this court.

John T. Wilson

Thereupon further process of and upon the premises of aforesaid is further continued until the first Monday of November next, at which said first Monday of November in the year eighteen hundred and sixty five, comes into court here as well the said Isaac H. Wilson by Thomas J. Keating Esq. his Solicitor and the said Lewin Pennington, Thomas J. Harrington and Mary Harrington by Philemon P. Hoopes Esq. their Solicitor,

Thereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of January next, at which said fourth Monday of January in the year eighteen hundred and sixty six, comes into court here as well the said Isaac H. Wilson by Thomas J. Keating Esq. his Solicitor and the said Lewin Pennington, Thomas J. Harrington and Mary Harrington by Philemon P. Hoopes Esq. their Solicitor, Thereupon Thomas J. Harrington by his Solicitor aforesaid files in court here his answer to the aforesaid Bill of Complaint in the words following, to wit:

Answer of Thomas J. Harrington to the Bill of Complaint of Isaac W. Wilson against him and others in the Circuit Court for Queen Anne's County exhibited, This Defendant admits the several matters and things charged in complainant's bill to be true, and submits to such to such decree in the premises as may be right and proper.

And he prays to be hence dismissed with his reasonable costs &c.

P. P. Hoopes,
Sol. for Thos. J. Harrington

Whereupon the following agreement was filed, to wit:

- Isaac H. Wilson }
 - vs. }
 - Lewin Pennington }
 - James W. Harrington }
 - Mary Harrington }
 - Thos. J. Harrington }

On the Equity side of the Circuit Court for Queen Anne's County -

It is agreed that a commission shall issue to William H. Connolly to take testimony in this case

Thos. J. Keating Sol. for Compl't.
P. P. Hoopes Sol. for Def'ts.

Thereupon commission was issued in the following manner and form, to wit:

Seal . . . Queen Anne's County, to wit: The State of Maryland,
Circuit . . . To William H. Connolly of Queen Anne's County, greeting:
Court . . . Be it known that you are appointed commissioner to examine
Queen Anne's . . . evidences in a cause depending in the Circuit Court for
County . . . Queen Anne's County, between Isaac H. Wilson, complainant and Lewin Pennington, Thomas J. Harrington, James W. Harrington

and Mary Harrington, Respondents. You are therefore hereby required, having first taken the oath hereto annexed and also administered the annexed oath to the person whom you shall appoint as clerk to attend the execution of this commission, that at such time and place as to you shall seem convenient, you cause to come before you all such evidences as shall be named and produced to you, by either the complainant or Respondents and that you examine them on their corporal oaths to be by you administered upon the Holy Evangelly of Almighty God touching their knowledge or remembrance of any thing that may relate to the cause aforesaid, and that you cause notice to be given to the parties or their solicitors of the execution of this commission before you execute the same, and having reduced the depositions of the witnesses so taken by you, into writing, you send the same with this commission closed under your hand and seal to the said leicuit leuit, with all convenient speed.

Witness the Honorable John W. Robinson Judge of the said Court the 6th day of November eighteen hundred and sixty five.

Deemed this 2^d day of December 1865.

Samuel C. Dyott, Clerk,

Commissioner's Oath.

You William S. Connolly, shall, according to the best of your skill and knowledge, truly faithfully, and without partiality to any or either of the parties, take the examinations and depositions, of all and every the witnesses produced and examined by virtue of the commission hereto annexed, upon the interrogatories now, or which may hereafter, before the said commission is closed be produced to and left with you, by either of the said parties, so help you God.

Sworn before

W. M. Arlett, J. P.

Therefore William S. Connolly Esq. The Commissioner named in the foregoing commission, makes return of the execution of said commission in the manner and form following, to wit:

Isaac H. Wilson	}	On the Equity side of the leicuit leuit for Queen Anne's County.
vs.		
Levin Pennington		
Thomas F. Harrington		
James W. Harrington		
Mary Harrington		

Interrogatories to be propounded to witnesses to be produced on the part of the complainant.

1st Are you or not acquainted with the parties to this suit, or either and which of them? If yea how long have you known them and each of them?

2nd Do you or not know a tract of land containing about one hundred acres, situate in this County, on the road leading from Chester Bridge to Millington about two and a half miles from Millington, called "The Pearl Land" or "The Pearce Land" formerly owned by the late John Pennington and known generally as "The Pennington Land", If yea, state your estimate of the value of said land in money.

- 3rd In your opinion is or is not said land susceptible of division into two or more parts, without loss or injury to the parties interested therein? State your reasons for your opinion on this subject.
- 4th In your opinion will it or not be for the interest and advantage of the parties interested in said land to sell the same and to divide the proceeds thereof between said parties in the proportion of their respective interests? State any circumstance within your knowledge which may lead you to the opinion which you entertain on this subject.

Thos. J. Keating, Solr.
for complainant

To the Honorable John M. Robinson Judge of the Circuit Court for Queen Anne's County.

At the execution of the annexed commission issued out of the Circuit Court for Queen Anne's County, and to me directed empowering me to examine evidence in a cause depending in the said Court wherein Deaac H. Wilson is complainant, and Lewis Pennington, Thomas F. Harrington, James H. Harrington, Mary Harrington are Respondents, & William S. Connolly, Commissioners therein named having taken the oath hereto annexed did at Centerville on the 30th day of January and the 6th day of February, eighteen hundred and sixty six, the usual notice having been waived, proceed to take the following dispositions.

James P. Dudley a witness of lawful age produced, and examined on the part of the complainant, being duly sworn, deposes and says.

To the first interrogatory. That he is acquainted with all the parties to this suit, and has known them for the space of fifteen or twenty years.

To the second interrogatory. He knows the land mentioned therein, he estimates the land to be worth, about six dollars per acre.

To the third interrogatory. He does not think the land capable of division without loss to all the parties, because the interest on the money would be more than the proceeds of said land after division.

To the fourth interrogatory, it would be for the interest of all the parties to sell the same, because the land is unimproved, and pays no rent.

James P. Dudley,

Nicholas Bancroft, a witness of lawful age, produced and sworn on the part of the complainant, deposes and says, that having heard the answers of James P. Dudley to the interrogatories in this cause, he adopts the several answers of said witness as his.

N. Bancroft,

William D. Jarbution a witness of lawful age produced and sworn on the part of the complainant deposes and says to the the first interrogatory.

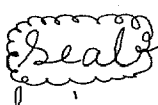
He is acquainted with Thomas F. & James H. Harrington, and has known them for ten or fifteen years.

That he is unacquainted with the other parties, and that having heard the answers of James P. Dudley to the remaining interrogatories in this cause, he adopts the several answers of said witness as his own.

Wm D. Jarbution,

The Commissioners herewith returns a Deed from Mary J. Pennington and others to Deaac H. Wilson, as a portion of the testimony in behalf of the complainant.

There being no other witnesses to be examined and neither party desiring further time for the production of evidence, the Commissioner closed the said Commission and herewith returns the same under his hand and seal this 7th day of Feby 1866.

William S. Conroyly 
Commissioner,

Costs			
Commissioner	\$ 4.00		
Witnesses	2.25		
Sheriff	.40	\$ 6.75	

The Deed referred to in the foregoing return is in the words following to wit:

U.S. This Deed and Indenture, made this 6th day of November in the
 1863 year Eighteen Hundred and sixty three by and between Mary J.
 Pennington and William F. Pennington of Cecil County in the
 State of Maryland, Laura J. Pennington of New Castle County
 in the State of Delaware, John P. Harrington of the City of Baltimore,
 James W. Williams and Sarah W. Williams of Queen Anne's County and
 Thomas F. Harrington of Queen Anne's County in the State of Maryland of
 the one part, and Isaac W. Wilson of x x x x x in the State of x x x x x
 of the other part. Witnesses, that the said Mary J. Pennington, William F.
 Pennington, Laura J. Pennington, John P. Harrington, James W. Williams,
 Sarah W. Williams and Thomas Harrington for and in consideration
 of the sum of eight hundred dollars current money of the United States,
 to them in hand paid, by the said Isaac W. Wilson before the sealing and
 delivery of these presents, the receipt whereof they the said Parties grantors
 and of the first part do hereby acknowledge, and from every part and par-
 cel thereof do hereby acquit, exonerate and discharge the said Isaac
 W. Wilson his heirs, executors and administrators, they the said Mary
 J. Pennington, William F. Pennington, Laura J. Pennington, John P.
 Harrington, James W. Williams, Sarah W. Williams and Thomas Har-
 rington, have granted, bargained, sold, aliened, enfeoffed, and con-
 firmed, and by these Presents do grant, bargain, sell, alien, enfeoff and
 confirm, unto the said Isaac W. Wilson his heirs and assigns, all their
 right, title, interest and estate, of in and to a tract or part of a tract
 of land lying in Queen Anne's County in the State of Maryland, called
 "Pearce Land," which was formerly owned in fee by John Pennington
 who departed this life about thirty five years since seized of said lands,
 and which was devised to or descended from him, to his children and
 heirs at law who were seized thereof in fee, to wit: Joseph Pennington
 who is since deceased and without issue, William Pennington, who is
 also since deceased without issue, Adaline Pennington, who after wards
 married Thomas Harrington, and is since deceased, leaving the
 following children, John P. Harrington, James W. Harrington, Sarah
 W. Harrington (married to James W. Williams) and Mary Harrington
 a minor; Peregrine Pennington, who is since deceased, having on the 24th
 March 1858 first conveyed his undivided interest in said land to William
 F. Pennington, Joseph W. Pennington, Laura J. Pennington and Mary
 E. Pennington; Elisha N. Pennington, who is since deceased, but who
 first on or about the 1st March 1852 conveyed all his interest in the said
 land to his brother Joshua Pennington one of the said heirs of John Pen-

ington, which said Joshua Pennington is since deceased, but first on or about the 5th July 1852 conveyed his undivided half part of said lands to William F. Pennington Joseph E. Pennington, Laura J. Pennington, Lewis Pennington and Mary E. Pennington (children of Elisha W. Pennington, and the said Mary J. Pennington the widow of said Elisha W. Pennington) and which said Joseph E. Pennington, and Mary E. Pennington are since deceased without issue, leaving the said William F. Pennington, Laura J. Pennington and Lewis Pennington, the owners in fee of the whole estate, except the undivided one fourth part which descended to the children and heirs at law of the said Adaline Barrington; the said lands adjoin the lands of x x x x x x x x and is at present occupied by x x x x x x x x as tenant.

To Have and To Hold the said undivided three fourths parts of the said Tract or part of a tract of land lying in Queen Anne's County aforesaid called "The Pearce land", and also the said John P. Barrington, James G. Williams and Sarah G. Williams, one undivided half part of said Adaline Barrington's one fourth part of said lands and the said Thomas Barrington interest as surviving Husband, or by whatsoever name or names the same may be called or known, together with the buildings and appurtenances, and all and singular other the premises, hereby bargained and sold, or meant, mentioned, or intended hereby to be, and every part and parcel thereof, with their and every of their appurtenances, unto the said Isaac G. Wilson his heirs and assigns, to the only proper use and behoof, of the said Isaac G. Wilson his heirs and assigns, forever, and to and for no other use intent or purpose, whatsoever, and the said Mary J. Pennington, William F. Pennington, Laura J. Pennington, John P. Barrington, James G. Williams, Sarah G. Williams and Thomas Barrington for themselves their heirs, executors, and administrators do hereby covenant, grant, promise, and agree, to and with the said Isaac G. Wilson his heirs executors, administrators or assigns, that them the said James G. Williams, Sarah G. Williams and Thomas Barrington and their heirs, the said Tract, or part of a tract of land and premises hereby granted, bargained, and sold, and every part and parcel thereof, with the appurtenances thereunto belonging, to him the said Isaac G. Wilson his heirs and assigns, against them the said parties grantors and their heirs and against all and every person or persons whatsoever claiming, or to claim, any right, title, or interest in and to the same or any part thereof, shall and will, hereafter, warrant and forever defend by these presents; And the said parties grantors do covenant that they will execute such further assurances as may be requisite.

Witness our hands and seals on the day and year first herein before written.

Signed, sealed, and delivered, }
 in the presence of }
 B. F. Perkins }
 B. F. Rogers }
 John B. Wheat }
 A. J. Hackett }
 Wm. G. Pearce }

Mary J. Pennington Seal
 William F. Pennington Seal
 Laura J. Pennington Seal
 John P. Barrington Seal
 James G. Williams Seal
 Sarah G. Williams Seal

Received, on the day of the date of the within deed, of and from, the within named Isaac G. Wilson the sum of eight hundred dollars current money of the United States, being the consideration money mentioned in the said deed.
 Witness

x x x x x x x x x x

The State of Maryland, Cecil County, to wit: Be it remembered, that on this eighteenth day of March in the year of our Lord, one thousand eight hundred and sixty four personally appeared Mary J. Pennington and William F. Pennington, of Cecil County aforesaid, and the parties grantors within named, before the subscriber, one of the State of Maryland's Justices of the Peace in and for Cecil County aforesaid and did each acknowledge the within and foregoing Deed or instrument of writing, to be their respective act and deed, and the lands and premises therein mentioned, and thereby bargained and sold, to be the right and estate of the within named Isaac H. Bilem party grantee, also therein named his heirs and assigns forever according to the purport, true intent, and meaning of the said instrument of writing, and the acts of assembly in such cases made and provided.

Acknowledged before and taken, and certified, the day and year above written.

Wm. H. Pearce J. P.

State of Maryland, Cecil County, to wit:

I hereby certify that W. H. Pearce before whom the above acknowledgment was made at the time a Justice of the Peace of the State of Maryland in and for Cecil County duly commissioned and sworn.

In Testimony whereof I hereto subscribe my name and seal of office affix on this fifteenth day of May eighteen hundred and sixty four,
Chas. H. Boarnie Clerk of the
Sheriff's Court for Cecil County.

Seal's
Place

Stamps
Place

State of Maryland, Queen Anne's County, to wit:

Be it remembered and it is hereby certified that on this eighth day of February in the year of our Lord, one thousand eight hundred and sixty four, before the subscriber, Justice of the Peace of the State of Maryland in and for Queen Anne's County personally appeared James H. Williams & Sarah H. Williams and did each acknowledge the within and foregoing Deed or instrument of writing to be their respective act and deed,

Acknowledged before and taken and certified the day and year above written.

Robt. L. Baynard J. P.

State of Delaware New Castle County, ss.

Be it remembered that on this third day of March A.D. one thousand eight hundred and sixty four personally appeared before me Abraham Staats a Notary Public for the State of Delaware duly commissioned under the great seal of the State of Delaware and being duly qualified, Laura J. Pennington a party to this indenture, and after the contents of said indenture being made known to her, acknowledged the within and foregoing indenture to be her act and deed,

Witness my hand and seal of office the day and year aforesaid,

Abraham Staats N. P.

Seal
Notary
Public
A. Staats

State of Maryland, Baltimore City to wit:

Be it remembered that on this twenty second day of June A. D. 1864, in and for said City Personally appeared John P. Harrington and acknowledged the foregoing deed an instrument of writing to be his act and deed.

John P. Wheat J. P.

State of Maryland, Baltimore City, Sec:

I hereby certify, that John P. Wheat Esq. before whom the annexed acknowledgement was made, and who has thereto subscribed his name, was at the

State
Place
Stamp
Place

time of so doing a Justice of the Peace of the State of Maryland, in and for the City of Baltimore, duly commissioned and sworn in testimony whereof, I hereto set my hand and affix the seal of the Superior Court of Baltimore, City this 30th day of August A. D. 1865

Alford Mace, Clerk, of the Superior Court of Baltimore City

And afterwards on the 7th day of February in the year Eighteen Hundred and sixty six, The Court passed the following Decree in the words, to wit:

Isaac H. Wilson
vs
Lewin Pennington
Thomas F. Harrington
James W. Harrington
Mary Harrington

In the Circuit Court for Queen Anne's County sitting as a Court of Equity.

This cause standing ready for hearing, and being submitted without argument, the proceedings were read and considered, It is therefore this seventh day of February eighteen hundred and sixty six by me John M. Robinson judge of the Circuit Court for Queen Anne's County sitting in Equity and by the authority of this Court, adjudged, ordered and decreed that the real estate in the proceedings mentioned be sold for the purpose of partition between the parties, That Thomas J. Keating of the town of Centerville be and is hereby appointed Trustee to make such sale, and that the course and manner of his proceeding shall be as follows; He shall first file in the Office of the Clerk of the Circuit Court for Queen Anne's County a bond to the State of Maryland executed by himself with a surety or sureties to be approved by said Clerk in the penalty of Fifteen Hundred 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 said real estate, having first given at least three weeks previous notice, inserted in some newspaper printed in Centerville, 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 hundred dollars of the purchase money cash on the day of sale and the balance thereof in equal instalments of six & twelve months from the day of sale the credit payments to bear interest from the day of sale and the payment thereof to be secured by the bond of the purchaser with a surety or sureties to be approved by the Trustee, And as soon as may be convenient after such sale the said Trustee shall return to this Court a full and particular

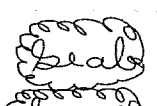
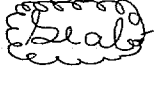
account of the same, with an affidavit of the truth thereof and of the fairness of such sale annexed, and on the ratification of such sale by this court and on the payment of the whole purchase money (and not before the said Trustee by a good and sufficient deed, to be executed and acknowledged agreeably to law, shall convey to the purchaser of said property and to his 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 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 he shall appear to have discharged his trust.

Jno. W. Robinson

Whereupon Thomas J. Keating Esq. the Trustee named in the foregoing Decree filed in court here his bond, in the words following, to wit:

Know all men by these presents that we Thomas J. Keating and John W. Perry of Queen Anne's County in the State of Maryland, are held and firmly bound unto the State of Maryland in the full and just sum of fifteen hundred dollars current money, to be paid to the said State of Maryland, or to its certain attorney; to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs executors and administrators, jointly and severally firmly by these presents sealed with our seals and dated this x x x x day of February eighteen hundred and sixty six; Whereas by a decree of the Circuit Court for Queen Anne's County sitting as a Court of Equity, bearing date on the seventh day of February eighteen hundred and sixty six, and passed in a cause in said court wherein Isaac B. Whitem is complainant and Lewis Pennington, Thomas J. Harrington, James W. Harrington and Mary Harrington are defendants the above bound Thomas J. Keating has been appointed Trustee to make sale of certain real estate in the proceedings in said cause mentioned, Now the condition of the above obligation is such, that if the above bound Thomas J. Keating do and shall well and truly and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, then the above obligation to be void, otherwise to remain in full force and virtue in Law.

Signed, sealed & delivered
in the presence of
J. D. Wright

Thomas J. Keating 
John W. Perry 

On the back of the foregoing was thus endorsed to wit:

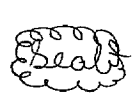
Bond approved & filed February 1866.

S. E. Dyott, Clerk,

Therefore on the 21st day of June 1866. the following assignment was filed, to wit:
For value received, I hereby assign and transfer to Benjamin F. P. Eggs all my right, interest and claim to, and portion of, the purchase money for the real estate known as the Pennington Property, situate in Queen Anne's County Maryland, and recently sold by Thomas J. Keating Trustee, by virtue of decree of the Circuit Court for Queen Anne's County, passed in a cause in which I am complainant and Lewis Pennington & others are Defendants.

Witness my hand and seal this fourteenth day of April eight-

een hundred and sixty six,
Test: Charles Pickering

Isaac H. Wilson 

Therefore Thomas J. Keating Esquire, the trustee named in the afore recited decree, files in levist here his report of Sales, in the words following, to wit:

Isaac Wilson }
vs. }
Lewin Pennington }
Thomas J. Harrington }
James W. Harrington }
Mary Harrington }

In the levist court for Queen Anne's County
Sitting in Equity.

To the Honorable John W. Robinson, Judge

The report of Thomas J. Keating Trustee appointed by the decree in this cause to make sale of certain real estate therein mentioned show that after giving bond with security for the faithful discharge of his trust as required by said decree, and giving notice of the time place and manner and terms of sale by advertisements in the "Leentreville Observer" and in the "Maryland Citizen" two Newspapers printed and published at Leentreville in Queen Anne's County for more than three successive weeks before the day of sale he did pursuant to said notice attend at the levist roads at Suddlersville in said County on Saturday the tenth day of March eighteen hundred and sixty between the hours of two and three o'clock P. M. and then there proceed to sell said real estate as follows, to wit:—

Yon Trustee offered at public sale to the highest bidder the tract of land called the "Pearce Land" and commonly known as the Pennington Property situate in the first Election District of Queen Anne's County on the road leading from Lechester Bridge to Millington about two and a half miles from Millington adjoining the Kirby and Macy land and containing one hundred acres more or less and sold the same to Benjamin J. Briggs he being then and there the highest bidder thereof at and for the sum of one thousand dollars and yon Trustee instead of taking the bond of the said Benjamin J. Briggs and one hundred dollars in cash in performance of the terms of sale prescribed by said decree hath agreed with the said Benjamin J. Briggs to receive four hundred dollars of the said purchase money in cash and the balance thereof on the final ratification of said sale by this levist provided this agreement is approved and sanctioned by this levist.

Which is respectfully submitted

Thomas J. Keating,
Trustee.

Queen Anne's County, to wit:

On this twenty first day of June eighteen hundred and sixty six before the subscriber a Justice of the Peace of the State of Maryland in and for Queen Anne's County of aforesaid, personally appeared the within named Thos. J. Keating Trustee and made oath that the matters and things stated in the foregoing report are true to the best of his knowledge and belief and that the sale therein reported was fairly made

Sworn before

W. M. Arlett J. P.

Therefore the court passed the following, Orders, to wit:

Isaac Wilson
vs
Lewin Pennington
& others

In the Circuit Court for Queen Anne's
County, sitting in Equity.

Ordered this twenty first day of June eighteen hundred and
Sixty six that the terms of sale prescribed by the decree in this cause be
modified and that instead thereof the Trustee is authorized to receive
four hundred dollars of the purchase money in cash and the balance
of said purchase money on the ratification of the sale by this court.

Jno. W. Robinson

Isaac Wilson
vs
Lewin Pennington
Thomas F. Barrington
James W. Barrington
Mary Barrington

In the Circuit Court for Queen Anne's
County sitting in Equity.

Ordered this 21st day of June in the year one thousand
eight hundred and sixty six that the sale of real estate made and
reported by Thomas J. Keating Trustee in this case be ratified and
confirmed, unless cause to the contrary thereof be shown on or before the
first day of October next, provided a copy of this order be inserted in ^{some}
Newspapers printed at Centerville once in each of three successive weeks
before the first day of August next.

The Report states the amount of sales to be \$1000.⁰⁰/₁₀₀

Jno. W. Robinson

Isaac Wilson
vs
Lewin Pennington
& others

on the Equity side of the Circuit Court for
Queen Anne's County.

The answer of Mary Barrington and infant under the age of twenty
one year by John Palmer her Guardian to the bill of complaint of Isaac
W. Wilson against her and others, in this cause exhibited, this defendant
can not admit any of the matters and things alledged in the said bill and
being an infant of tender years submits her rights to the protection of this
court.

John Palmer Guardian
of M. Barrington

State of Maryland, Queen Anne's County, to wit:

On this 29th day of November 1866. before me the undersigned a
Justice of the Peace in and for said County personally appeared Thomas
F. Barrington, and made oath in due form of law, that he was fifty eight
years old on or about the 10th day of June last, that he is conscious of no deep
seated disease, is in his usual health, but does suffer with a weakness in
his back.

Sworn before
W. M. Arlett, J. P.

State of Delaware, New Castle County - to wit:

I hereby certify that on this ninth day of January in the year eighteen Hundred and sixty seven, before me, the subscriber a Justice of the Peace of the State of Delaware in and for New Castle County aforesaid personally appeared Mary J. Pennington and made oath on the Holy Evangelist of Almighty God, that the said Mary J. Pennington was Fifty Two years old on the 4th day of April eighteen Hundred and sixty six, and that she knows her age from the family record, and having frequently heard her Parents say when she was born - and mention the date of her birth.

Sworn before
Sworn and subscribed before me
at Wilmington City the day and
year above written
Thomas Young J. P.

Mary J. Pennington

State of Delaware, New Castle, Co:

Seal's
Place
D.D.

I, Richard G. Cooper, Prothonotary of the Superior Court of the State of Delaware in and for the County of New Castle do hereby certify that the within named Thomas Young is a Justice of the Peace in and for said County duly commissioned as such with authority to administer Oaths &c that the within is his signature.

Witness my hand and the seal of the said Superior Court at New Castle this fifteenth day of January A.D. 1867.

Richd G. Cooper
Proy.

Whereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of November next at which said fourth Monday of November in the year eighteen Hundred and sixty six, comes into Court here as well the said Isaac Wilson by Thomas J. Keating Esq. his Solicitor, and the said Lewin Pennington James St. Harrington, Thomas J. Harrington and Mary Harrington by J. P. Cooper Esq. their Solicitor, Whereupon the Court passed the following Order to wit:

Isaac Wilson
vs.
Lewin Pennington
Thomas J. Harrington
James St. Harrington
Mary Harrington

On the Equity side of the Circuit Court for Queen Anne's County,

Ordered this 22^d day of December eighteen Hundred and sixty six that the Sale of Real Estate made and reported by Thos. J. Keating Trustee in this case, be finally ratified and confirmed, the Trustee is allowed the usual commission upon the amount of Sales

Jno. M. Robinson

Whereupon further process of and upon the premises aforesaid is further continued until the fourth Monday of January next at which said fourth Monday of January in the year eighteen Hundred and sixty seven comes into Court here as well the said Isaac W. Wilson by Thomas J. Keating

Esq. his Solicitor, and the said Lewin Pennington, Thomas J. Harrington James W. Harrington and Mary Harrington by P. P. Hopper Esq. their Solicitor, Whereupon Philemon P. Hopper Esq. Auditor of said Court files in Court here his report, in the Manner + form following, to wit:

Isaac H. Wilson }
 }
 Lewin Pennington }
 + others }

In the Circuit Court for Queen Anne's County sitting as a Court of Equity

To the Hon. John M. Robinson, Judge,

The Auditor respectfully reports that he has examined the proceedings in this cause and has therefrom prepared the following account between the Real Estate mentioned in the proceedings and T. J. Keating Esq. Trustee for the Sale thereof, after allowing to the Trustee his commissions and expenses, to the complainants and defendants each their costs of suit and to the Auditor his fee, he divided the nett balance among the parties entitled thereto according to their respective proportions as set forth in the Bill of Complaint.

P. P. Hopper, Auditor
 Jan'y 26th /1867.

In the Real Estate of Isaac H. Wilson + others in acct with Thomas J. Keating Trustee for the Sale thereof,

1866. Mar 10 th		Dols	cts	Dols	cts
To the Trustee for his commissions				67	50
To the Trustee for his expenses as fr. vouchers				38	52
To the complainants for their costs of suit, viz:					
Solicitor		20	00		
S. E. Dyott clerk		10	65		
Same for Probable costs		25	00		
J. P. Linnikshauke comm. to a foreign Guardian		4	00		
W. L. Connolly comm. to take testimony		4	10		
James P. Dudley, Witness			75		
W. Bancant "			75		
W. D. Tarbutton "			75		
J. J. Satterfield Sheriff			40		
W. J. Ford former Sheriff			90		
J. P. Price Shff of Cecil County			45	67	75
To the Defendants for their costs of suit, viz:					
Solicitor		10	00		
S. E. Dyott clerk		3	03	13	03
To the Auditor for this acct &c				4	50
To Isaac H. Wilson complt. use Benj F. Briggs & 1/2 of nett proceeds				404	35
To Lewin Pennington for 1/4 of nett proceeds		202	17 1/2		
Lep Mary S. Pennington dower in 1/36 of whole		2	49 1/2	199	68
To Mary S. Pennington use P. F. Briggs & Assignees of I. H. Wilson				2	49 1/2
To Thomas J. Harrington for courtesy right in 3/4 remaining 1/4				25	29

To Benjamin F. Briggs for 1/2 of the reversion in the
 remaining fourth which is subject to the curtesy of reversion
 as assignee of Isaac H. Wilson &c }
 To Thomas F. Harrington for 1/4 of the reversion of reversion }
 after deducting curtesy right of Thos. F. Harrington }
 To Mary Harrington for 1/4 of the reversion of reversion }
 after deducting curtesy right of reversion }

Dols.	Cts.	Dols.	Cts.
		88	44 1/4
		44	22 1/8
		44	22 1/8
		<u>\$1000</u>	<u>00</u>

1866
 Mar 10th

By Amount of proceeds of real estate as per Trustees }
 Report of Same }

Dols.	Cts.
1000	00
<u>1000</u>	<u>00</u>

D. B. Hopper, Auditor
 Jan'y 26th 1867

And afterwards on the fifth day of February in the year eighteen hundred
 and sixty seven, the court passed the following Order, to wit:
 Ordered this fifth day of February eighteen hundred and sixty seven
 that the within Auditors report be and is ratified and confirmed and the Trust-
 ee is directed to distribute the funds accordingly.

Jno. M. Robinson

Mary E. Browne
vs.
William Stevens

Be it remembered that at a County Court begun and held at Lenoirville in and for Queen Annes County, on the first Monday of November in the year eighteen hundred and fifty, the said Mary E. Brown by Helinton Cook Esquire

his attorney declared against the said William Stevens in a plea of debt as follows to wit: Queen Annes County, Es. William Stevens late of Queen Annes County, was summoned to answer unto Mary E. Browne in a plea that he render unto the said Mary E. Brown the sum of three thousand and one hundred dollars current money which he, the said William Stevens unjustly detains, and so forth. And whereupon, the said Mary E. Browne, by Helinton Cook her attorney says, that whereas the said William Stevens on the x x x x day of x x x x in the year of our Lord eighteen hundred and x x x x at Queen Annes County of aforesaid, by his certain writings obligatory, sealed with his seals, and to the Court now here shewn, the date whereof is the day and year aforesaid, did promise to pay to the said Mary E. Browne, her heirs, executors Administrators or assigns, the full and just sum of three thousand and one hundred dollars current money, for value received, on demand, nevertheless the said William Stevens (although often requested, to wit: on the day and year aforesaid, and often afterwards, to wit, at the County aforesaid) hath not yet paid the said sum of money or any part thereof to the said Mary E. Browne but hitherto he hath refused; and to pay the same to the said Mary E. Browne still doth refuse: to the damage of the said Mary E. Browne to the value of one thousand, five hundred and fifty dollars, current money, and therefore he brings suit and so forth.

Helinton Cook, Attorney for the Plaintiff.

And the said William Stevens being afterwards called voluntarily appeared in Court in his proper person, and says that he cannot deny the action aforesaid of the said Mary E. Browne so as aforesaid against him brought, nor but that he owes to the aforesaid Mary E. Browne the sum of three thousand and one hundred dollars current money; nor but that the said Mary E. Browne hath sustained damage by reason of the detention of the debt aforesaid to the sum of one thousand five hundred and fifty dollars in manner and form as the aforesaid Mary E. Browne within against him hath complained, besides her costs and charges by her about her suit in this behalf laid out and expended &c and hereupon the said Mary E. Browne by her attorney aforesaid prays judgment for her debt aforesaid so as aforesaid confessed together with her damages so as aforesaid acknowledged, as also for her costs and charges by her about her suit in this behalf laid out and expended, to her to be adjudged &c therefore it is considered by the Court here that the said Mary E. Browne recover against the said William Stevens as well the said sum of three thousand one hundred dollars her debt aforesaid, as the sum of one thousand five hundred and fifty dollars her damages in form aforesaid acknowledged to be sustained by reason of the detention of the said debt as also the sum of six dollars twenty eight and one third cents by the Court here unto the said Mary E. Browne on her oportunity adjudged for her costs and charges by her about her suit in this behalf laid out and expended and the said William Stevens in mercy &c.

Memorandum.

Judgment was confessed in this cause on the fifth day of November in the year eighteen hundred and fifty for three thousand one hundred dollars current money debt: and one thousand five hundred and fifty, dollars Damages, and six dollars twenty eight and one third cents costs; the said damages to be released or payment

of interest on debt from the first day of November eighteen hundred and fifty until paid: and the Plaintiff agreed to stay execution on said judgment for twelve months. And whereas afterwards, to wit: on the eleventh day of November in the year eighteen hundred and fifty one, the said Mary E. Rowne by her attorney aforesaid prosecuted and sued forth out of the said court of and upon the judgment aforesaid, the writ of the State of Maryland of *Fieri Facias*, directed to the Sheriff of Queen Anne's County aforesaid, in the following words and requires, to wit:

Queen Anne's County, to wit: The State of Maryland to the Sheriff of Queen Anne's County, greeting. Whereas at a County Court, begun and held at Centerville, in and for Queen Anne's County on the first Monday of November in the year of our Lord eighteen hundred and fifty a certain Mary Rowne by judgment of the same recovered against a certain William Stevens late of Queen Anne's County, as well the sum of three thousand one hundred dollars current money, a certain debt, as the sum of one thousand five hundred and fifty dollars like money, for her damages, which she had sustained by reason of the detention of that debt, as also the sum of six dollars, twenty eight and one third cents for her costs and charges by her ^{about} her suit: in that behalf laid out and expended whereof the said William Stevens is convict, as of record it manifestly appears. Therefore you are hereby commanded, that of the goods and chattles, lands and tenements of the said William Stevens being in your bailiwick, you cause to be levied and made as well the debt, damages, costs and charges aforesaid, as also the further sum of one dollar and forty cents current money, for the additional costs and charges already expended and to be expended in the prosecution of this writ and have you those sums of money before the County Court, to be held at Centerville, in and for said County on the first Monday of May next, to render unto the said Mary Rowne the debt, damages, costs and charges aforesaid, thereof fail not at your peril, and have you then and there this writ. Witness, the Hon. Ezekiel F. Chambers Esq. Chief Judge of the County Courts in the second Judicial District the 3rd day of November in the year of our Lord eighteen hundred and fifty one.

Dated the 11th day of November 1851.

John Talghman, Clerk,

And now here at this day, to wit: at a Circuit Court (the Court having been changed by the new Constitution of Maryland) begun and held at Centerville in and for Queen Anne's County aforesaid on the first Monday of May in the year eighteen hundred and fifty two, being the return day of the foregoing writ of *Fieri Facias*, the said Mary E. Rowne comes into Court here by her attorney aforesaid, and the Sheriff of Queen Anne's County aforesaid to wit: Stephen J. Bradley Gentleman, to whom the said writ of *Fieri Facias* was in form aforesaid directed makes return to the Court here of the said writ: thereon thus endorsed, to wit: Lands and tenements taken and sold as per Special return for \$ 3415.00.

S. J. Bradley, Late Shff.

The Special return referred to in the above endorsement is in the following words to wit:

To the Honorable Philemon B. Hopper, Judge of the Circuit Court of Queen Anne County, & Stephen J. Bradley, Late Sheriff of Queen Anne's County, do hereby certify and return, to the Honorable P. B. Hopper, Judge of the Circuit Court for Queen Anne's County, that by virtue of the writ of the State of Maryland of *Fieri Facias*

Facias, issued out of Queen Anne's County Court, and so mediated at the suit
 of Mary Brown against William Stevens, which said writ is hereto at-
 tached, I did seize and take in execution, all the right, title, interest & estate
 of him the said William Stevens being an estate in fee of in and to, the one
 moiety of the following lands and tenements devised to him by James Mafey,
 by last Will and Testament, to wit: all those tracts or parcels of land lying
 and being in Queen Anne's County near Greenstown, called "Neale's Residence"
 "Lords left", "Kemsley", "Emory's Fortune" and "Lemsey's Addition", or Bennetts
 Outlet, being all that parcel of land, which was described and conveyed
 in and by a Deed, or conveyance from Richard Hall to James Mafey,
 bearing date on or about the sixth day of May, in the year eighteen hundred
 and seventeen, duly recorded in the Office of the Clerk of Queen Anne's County,
 and containing Four hundred and fourteen acres, more or less; I did also
 seize and take in execution, all the right, title, interest and estate of said
 William Stevens, being an estate in fee of in and to the following lot of
 ground, or land, situate in the Town of Leetreville, in the County aforesaid,
 being all that part of lot designated on the Plat of said Town, as Lot No. 1.
 and lies within the lines, metes and boundaries following, to wit: Begin-
 ning at a corner stone of the Public Ground, marked with the letters P. G.
 No. 1. and running with Commerce Street South thirty two degrees, thirty
 minutes, West eighteen feet, thence North fifty seven degrees, thirty minutes,
 West fifty six feet, back to the building now owned by Daniel Newnam,
 thence with said building North thirty two degrees thirty minutes, East
 eighteen feet to the Public ground, and thence with the public ground to
 the beginning, containing one thousand and eight square feet, more or
 less, being the same lot of ground, or parcel of land, purchased by the said
 William Stevens from William L. Ringgold and wife and George W.
 Spencer and wife, and conveyed by deed dated the seventh day of February,
 in the year, eighteen hundred and forty six and recorded in the Clerk's Office
 of Queen Anne's County and that I did also seize and take in execution, all
 the right, title, interest and estate of the said William Stevens, being an
 equitable estate in fee, of, in and to, all that lot of ground, or parcel of land,
 lying and being in the Town of Leetreville, in the County aforesaid, and
 distinguished on a plat of said Town, as No. 5, commencing for the lines
 thereof, at the South west corner of Lot No. 4. and running with the Street,
 South thirty two degrees West two perches, then North fifty seven degrees and
 thirty minutes West twenty perches, thence North thirty two degrees, East two
 perches, thence South fifty seven degrees, thirty minutes, East twenty perch-
 es, bounding upon the aforesaid Lot No. 4. to the place of beginning, contain-
 ing one fourth of an acre of land, be the same, more or less: being the same
 lot of land, which was purchased by the said William Stevens from one
 Samuel J. Emory and wife, but not conveyed to the said Stevens because
 a part of the purchase money thereof remains unpaid; and I do hereby
 further certify and return, that after giving more than twenty days public
 notice of the Sale, by advertisements set up at the Court House door of Queen
 Anne's County, aforesaid, and at two other public places in the said
 County, and also by advertisement, inserted in the "Leetreville Times"
 and "Public advertiser" a newspaper, printed at Leetreville in said
 County I did expose at public Sale in the Town of Leetreville, in front of the
 Court House door, on the ninth day of March, in the year eighteen hundred
 and fifty two, all the right, title, interest and estate of William Stevens of in

and to the said Tracts, or parcels of land, called, "Beale Residence" "Lords Gift", "Bensley" Emorys "Fortune" and likewise Addition or "Bennetts Outlet" hereinbefore particularly described, at which said sale Charles & P. Mitchell being the highest bidder, became the purchaser thereof at and for the price or sum of Twelve hundred dollars; I did also expose at public sale, at the same time and place, all the right, title interest and estate of the said William Stevens of, in and to all that part of said Lot No. 1 herein before particularly mentioned and described at which said sale, Pere Palmer, being the highest bidder, became the purchaser thereof at and for the price or sum of sixteen hundred and fifteen dollars, and I did also expose at public sale, at the same time and place, all the right, title, interest and estate, of the said William Stevens, of in and to all that Lot of ground, or parcel of land, No. 5. hereinbefore particularly described; at which sale, Clinton Cook, being the highest bidder became the purchaser thereof at and for the price, or sum of six hundred dollars; which said several sums of money: I have here in leant: according to the command of the said writ:

So Answers

S. J. Bradley,
Late Sheriff.

And afterwards on the first day of November in the year eighteen hundred and fifty eight, Mary E. Brown by John W. Robinson Esq. her Attorney prosecuted and sued forth out of the Circuit Court here the writ Scire Facias, which said writ was issued in the words following to wit:

The State of Maryland, Queen Anne's County, to wit: To the Sheriff of Queen Anne's County, greeting: Whereas at a County Court for Queen Anne's County begun and held at Centerville in and for said County on the first Monday of November in the year eighteen hundred and fifty a certain Mary Brown by the Judgment of the said Court recovered against a certain William Stevens late of Queen Anne's County as well the sum of three thousand one hundred dollars current money a certain debt as the sum of one thousand five hundred fifty five dollars like money for her Damages which she has sustained by reason of the detention of that debt as also the sum of six dollars twenty eight and one third cents for her costs and charges by her about her Suit in that behalf laid out and expended, whereof the said William Stevens is convict as it appears of record; and whereas the said William Stevens at the time of the rendition of said Judgment was seized of divers lands and Tenements in his demer as of fee and execution of that Judgment yet remains to be done, as by the suggestion of the said Mary Brown hath been stated, wherefore the said Mary Brown hath prayed that a proper remedy be granted to her in this behalf and because it is just that what is right in this behalf should be done - you are therefore hereby Comanded to make known unto the Tenant or Tenants of all the lands and Tenements in your Bailiwick whereof the said William Stevens on the fifth day of November in the year eighteen hundred and fifty (on which day the Judgment of aforesaid was rendered) or ever afterwards was seized that he she or they be and appear before the Circuit Court for Queen Anne's County aforesaid to be held at Centerville in and for said County on the first Monday of November instant to shew cause if any he she or they have, why the debt, Damages costs and charges aforesaid ought not to be levied on those lands & Tenements to and

paid to the said Mary Brown according to the force form and effect of the recovery aforesaid, if he she or they shall think fit, and further to do and receive whatsoever the said court shall then and there consider concerning him her or them in this behalf and have you then and there this writ: witness the Honourable Richard P. Cairnichael Esquire judge of the said court the first day of November in the year eighteen hundred and fifty eight
 Issued the first day of November 1858.

Madison Brown, clerk,
 And the said John Filghman and Lloyd Filghman Serretenants of William Stevens, being afterwards called, voluntarily appear in court here by Lloyd Filghman Esq. their attorney and the said John Filghman and Lloyd Filghman by their said attorney, say that they can not deny that there is such record of the recovery against the said William Stevens, of the debt, damages, costs and charges, as in the said writ of Scire Facias is alledged, not but that the said Mary Brown ought to have her execution thereof against them the said John Filghman and Lloyd Filghman Serretenants as aforesaid, therefore it is considered by the court here that the said Mary Brown have execution against the said John Filghman and Lloyd Filghman Serretenants as aforesaid for as well the debt, damages, costs and charges aforesaid in the writ of Scire Facias aforesaid mentioned, according to the force form and effect the recovery aforesaid as the sum of (\$12,589³) twelve dollars fifty eight and one third cents to the said Mary Brown on her agent, by the court here adjudged for her costs and charges which she hath sustained by reason of the delay of the execution of judgment aforesaid,

And afterwards on the 15th day of August in the year eighteen hundred and fifty nine the said Mary Brown by her attorney aforesaid sued out of the leicuit court here the writ of Maryland Scire Facias, which said writ was issued in the form and words following to wit:

Queen Anne's County &c: The State of Maryland, To the Sheriff of Queen
 Seal's : Anne's County greeting: Whereas at a County court for
 Place : Queen Anne's County begun and held at Centerville in and
 for said County on the first Monday of November in the
 year eighteen hundred and fifty a certain Mary E. Brown
 by judgment of the same court recovered against William
 Stevens late of said County as nett the sum of three thousand one
 hundred dollars a certain debt as the sum of one thousand five hundred
 and fifty dollars for her damages which she had sustained as well
 by occasion of the detention of that debt as the sum of six dollars, twenty eight and
 one third cents costs and charges by her about her suit in that behalf laid out and
 expended, whereof the said William Stevens is convicted as of record is manifest:
 and whereas at a leicuit court for Queen Anne's County begun and held at Centerville
 in and for said County on the first Monday of May in the year eighteen
 hundred and fifty nine (to which said leicuit court the custody of the record
 of proceedings &c of the said County court and the right and Authority to enforce
 its judgments &c were by the New Constitution of the State of Maryland Comm-
 itted) it was considered by the said leicuit court that the said Mary E. Brown
 should have her execution against John Filghman and Lloyd Filghman,
 late of Queen Anne's County. Serretenants of the said William Stevens

for as well the debt, damages, costs and charges, aforesaid as also for the sum of twelve dollars fifty eight and one third cents, which to the said Mary E. Brown in the said court was adjudged, for her costs and charges, which she had sustained by delay of the execution aforesaid, Whereof the said John Tilghman and Lloyd Tilghman are convicted as of record is manifest, to her levied of all the lands and tenements in your bailiwick being, of which the said William Stevens, was seized in his demesne as of fee on the fifth day of November in the year eighteen hundred and fifty the date of rendition of the judgment first aforesaid or ever afterwards and which were in the possession of the said John Tilghman and Lloyd Tilghman as tenants of the said William Stevens on the first Monday of November in the year eighteen hundred and fifty eight, the day on which the said John Tilghman and Lloyd Tilghman tenants of William Stevens were warned to show cause &c, therefore you are hereby commanded, that of the said lands and tenements aforesaid, being in your bailiwick, you cause to be made and levied, the debt, damages and several costs and charges aforesaid as also the further sum of one dollar and seventy five cents additional costs and charges already expended and to be expended in the further prosecution of this writ: and have you those several sums of money before the said Circuit Court to be held at Centreville in said County on the first Monday of November next to be rendered unto the said Mary E. Brown in payment and satisfaction of the judgment aforesaid - Whereof fail not at your peril and have you then and there this writ. Witness the Honorable Richard R. Carmichael Esquire Judge of the said Court the second day of May in the year eighteen hundred and fifty nine

Spued the 15th August 1859.

Madison Brown, clk.

And afterwards on the first day of November in the year Eighteen Hundred and sixty six, comes into Court here Mary E. Brown by her Solicitor aforesaid, thereupon Edward Sudler Esq. Late Sheriff of Queen Anne's County to whom the afore recited writ; was directed, makes return of the same thus endorsed to wit: Lands & Tenements taken as per Schedule and returned as per Special return herein annexed

Edward Sudler
Late Sheriff.

The special return referred to in the foregoing endorsement was in the words following, to wit:

To the Hon. J. M. Robinson Judge of the Circuit Court for Queen Anne's County,

I, hereby certify that by virtue of the fieri facias within I did seize and levy upon all the right title interest and claim which the said William Stevens had in and to all that lot of ground situate in the town of Centreville upon which stands a frame house known for years past as the cabinet shop adjoining, the property on the North recently conveyed by E. R. Ferguson & wife to Solomon Parritt, and on the South the property belonging to one Augustus McCabe & others on the front street of said town and after due and legal notice I did expose the same at public sale at which said sale the said Edwin R. Ferguson became the purchaser of said right title and interest the same being an undivided one third part for and at the sum of one Hundred and sixty Dollars.

So Answers

Edward Sudler, Late Sheriff.

James Lelark use of
Lippincott & Co.
vs.

William H. Whitely

R. S. Gortie
vs.

William H. Whitely

L. H. Beatty
vs.

William H. Whitely

Chas. Boardly (J. W.)
adm^r of John Boardly (J. N.)
vs.
William H. Whitely

Jacob Lehase
vs.
Wm. H. Whitely +
Eli Plummer

Jones + Temple
vs.
Wm. H. Whitely +
Jas. L. Price

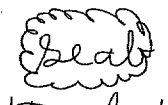
Daniel M. Ginn's
use of S. Joslin
vs.
Wm. H. Whitely +
Standisbury Whitely

A. Knotts adm^r of
James Lelark
vs.
Wm. H. Whitely

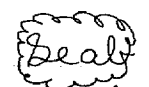
Same
vs.
Same

Price + May
vs.
Wm. H. Whitely

Be it remembered that on the 13th day of May in the year eighteen hundred and sixty four, William D. Farbutton in pursuance of the act of Assembly in such cases made and provided files in the Circuit Court here the following Papers, to wit: Md. C. A. Co. to wit: To Wm. D. Farbutton late Const of said County, whereas on the 4th day of June 1859, Jas. Lelark use Lippincott & Co., obtained Judgment against Wm. H. Whitely before the Subscriber a Justice of the Peace in and for said County for the sum of \$ 50. 99 ^{Dols} debt inst from date of Judgt. and cost 83 1/2 cts and on the 11th day of Nov. 1857. a fi fa was issued to Wm. D. Farbutton Const. which were levied on the following property to wit: 120 acres of Land more or less with improvements also all of said Whitely inst. in and to 70 acres of land formerly the lands of Wm. J. Sperry and one wheat Machine all of which you returned on hand as per Schedule of property therefore you are hereby commanded to expose again the above named property so taken at public sale and the money arising therefrom you have before me on the 11th day of Feby next to render unto the plaintiff, the debt inst. and cost together with the additional cost thereon given under my hand and seal this 11th day of Janry 1861

Robert Parker 

Md. C. A. Co. to wit: To Wm. D. Farbutton late Const of said County whereas on the 5th day of Feby 1857. R. S. Gortie obtained Judgt. against Wm. H. Whitely before the subscriber a Justice of the Peace in and for said County for the sum of \$ 43. 18 debt inst from date of Judgt. and cost 63 1/3 cts and on the 8th of May 1857 a fi fa was issued to Wm. D. Farbutton Const. which was levied on the following property to wit: 2 Head Horses, one cart & gear, 120 Acres of land more or less all of which you returned on hand as per Schedule of property therefore you are hereby commanded to expose again the above named property so taken at public and the money arising therefrom you have before me on the 11th day of Feb- next to render unto the plaintiff the debt, inst. and the additional cost thereon given under my hand and seal this first day of Janary 1861.

Robert Parker 

Md. C. A. Co. to wit: To Wm. D. Farbutton late Const of said County whereas on the 28th day of Oct. 1858, L. H. Beatty obtained Judgt. against Wm. H. Whitely before the Subscriber a Justice

Glutch Smith use of
 J. S. Joslin
 vs
 Wm. H. Whitely &
 Standebury Whitely

John T. Temple use of
 Philemon Cotton use
 of J. S. Joslin
 vs
 Wm. H. Whitely &
 Benson Dill &
 Jas. R. Dill

John M. Powell
 Adm^r. of Saml. Wright
 vs
 Wm. H. Whitely

of the peace in and for said county for the sum of \$
 99.²⁹/₁₀₀ etc. debt, Inst. from date of Judgt. and levied
 \$1.87 and on the 5th day of November 1858 a fi fa was
 issued to Wm. D. Farbutton Const. which were levied
 on the following property to wit: all of said Whitely's
 interest in and two parcels or tracts of land 150^{acres}
 more or less all of which you returned on hand as per
 Schedule of property therefore you are hereby comma-
 nded to expose again the above named property so tak-
 en, at public sale and the money arising therefrom
 you have before me on the 11th day of Feby next to render
 unto the plaintiff the debt, Inst. and cost together
 with the additional levied thereon given under my
 hand and seal this 1st day of January 1861.

Robert Hooker Seal

Mad. Q. W. les. to wit: To Wm. D. Farbutton late Const. of
 county whereas on the 31st day of July 1858 Charles
 Boardly (J.W.) adm^r. of Jno. Boardly (J.W.) obtained Judgt
 against Wm. H. Whitely & Thos. lex before the sub-
 scriber a Justice of the peace in and for said county for the sum of \$41.⁰⁸/₁₀₀ debt
 Inst. from date of Judgt. and levied 63¹/₃ etc which on the 4th day of Oct. 1858. a fi fa
 was issued to Wm. D. Farbutton Const. which were levied on the following property
 to wit: 2 Head Horses, 120 acres of land with the improvements thereon also 70^{acres}
 of land known as the Spury land and one wheat Machine all of which you return-
 ed on hand as per Schedule of property therefore you are hereby commanded
 to expose again the above named property so taken at public sale and the money
 arising therefrom you have before me on the 11th day of Feby next to render unto
 the plaintiff the debt Inst. and cost together with the additional levied thereon given
 under my hand and seal this 1st day of Janry 1861.

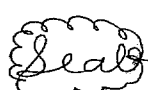
Robert Hooker Seal

Mad. Q. W. les. to wit: To Wm. D. Farbutton late Const. whereas on the 17th day of
 June 1858. John M. Powell assignee of Saml. Lytly & Bro. against Wm. H.
 Whitely & Jas. R. Dill before the subscriber a Justice of the peace in and for
 said county for the sum of \$22.⁶⁵/₁₀₀ debt Inst. from date of Judgt. and on the
 19th day of August 1858 a fi fa was issued to Wm. D. Farbutton Const. which were
 levied on the following property to wit: One Horse last and year 120 acres of
 land more or less also 70 acres of land formerly the land of Wm. G. Spury all of which
 you returned on hand as per Schedule of property therefore you are hereby
 commanded to expose again the above named property so taken at pub-
 lic sale and the money arising therefrom you have before me on the 11th day of
 Feby next to render unto the plaintiff the debt, Inst. and levied, and the addi-
 tional levied thereon given given under my hand and seal this 1st day of Janry
 1861.

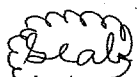
Robert Hooker Seal

Mad. Q. W. les. to wit: To Wm. D. Farbutton late Const. of said county, whereas
 on the 25th day of November 1859 Jacob Lehasse obtained Judgt. against Wm.
 H. Whitely and Eli Plummer for the sum of \$9.³⁷/₁₀₀ etc debt inst. from date
 of Judgt. and cost 53¹/₃ etc which were recovered before the subscriber a Jus-
 tice of the peace in and for said county and on the 8th day of June 1858 a fi fa
 was issued to Wm. D. Farbutton Const. which were levied on the following
 property to wit 120 acres of land more or less, 1 wheat Machine also all said
 Whitely's. inst in and to 70^{acres} of land known as the Spury land all of which

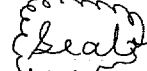
you returned on hand as per Schedule of property therefore you are hereby commanded to expose again the above named property so taken at public sale and the money arising therefrom you have before me on the 11th day of February next to render unto the plaintiff the debt, inst and cost together with the additional least thereon given under my hand and seal this 1st day of January 1861.

Robert Hooker 

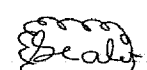
Md. G. W. Co. to wit: To Wm. D. Farbutton late Const. of said County whereas on the 28th Nov. 1857. Jones + Temple obtained Judgt. against Wm. B. Whitely + Jas L. Price before the subscriber a Justice of the peace in and for said County for the sum of \$14.⁸⁵/₁₀₀ due debt inst. from date of Judgt. and cost 63¹/₃ cts and on the 1st day of June 1858 a fi fa was issued to Wm. D. Farbutton Const. which were levied on the following property to wit: one wheat Machine and 120 acres of land more or less all of which you returned on hand as per Schedule of property therefore you are hereby commanded to expose again the above named property so taken at public sale and the money arising therefrom you have before me on the 11th day of February next to render unto the plaintiff the debt, inst and cost together with the additional cost thereon given under my hand and seal this 1st day of January 1861.

Robert Hooker 

Md. C. W. County, to wit: To Wm. D. Farbutton late Const. of said County whereas on the 22^d day of March 1856. Danl. McGinnis use S. S. Joslin obtained Judgt. against Wm. B. Whitely + Stande by, Whitely before the subscriber a Justice of the peace in and for said County and on the 24th day of March 1857 a Fi fa was issued to Wm. D. Farbutton Const. which was levied on the following property to wit: 2 Head Horses 120 acres of land with the improvements thereon and one wheat Machine all of which you returned on hand as per Schedule of property therefore you are hereby commanded to expose again the above named property so taken at public sale and the money arising therefrom you have before me on the 11th day of February next to render unto the plaintiff the debt, inst and cost thereon, given under my hand and seal this 1st day of January 1861.

Robert Hooker 

Md. G. W. Co. to wit: To Wm. D. Farbutton Const. of said County whereas on the 15th day of July 1857 A. Knotts admr. of Jas. Belark obtained Judgt. against Wm. B. Whitely before the subscriber a Justice of the peace in and for said County for the sum of \$63.²⁴/₁₀₀ due debt, inst from date of Judgt. and cost 83¹/₃ cts and on the 25th day of August 1858, a fi fa was issued to Wm. D. Farbutton Const. which were levied on the following property to wit: 120 acres of land with the improvements thereon also 70 acres of land known as the ferry land and one wheat Machine, all of which you returned on hand as per Schedule of property therefore you are hereby commanded to expose again the above named property so taken at public sale and the money arising therefrom you have before me on the 11th day of February next to render unto the plaintiff the debt, inst and cost together with the additional least thereon given under my hand and seal this 1st day of January 1861.

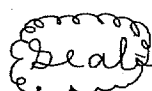
Robert Hooker 

Md. G. W. Co. to wit: To Wm. D. Farbutton late Const. whereas on the 15th day of July 1859 A. Knotts admr. of Jas. Belark obtained Judgt. against Wm. B. Whitely before the subscriber a Justice of the peace in and for said County for the sum of \$28.⁷²/₁₀₀ due debt, inst. from date of Judgt. and cost 63¹/₃ cts and on the 25th day of August 1858, a fi fa was issued to Wm.

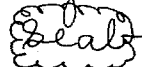
D. Farbruton leinst. which were levied on the following property to wit: 120 acres of land with the improvements thereon as also 70 acres of land known as the Sperry land and one wheat Machine all of which you returned on hand as per Schedule therefore you are hereby commanded to expose again the above named property as taken at public sale and the money arising therefrom you have before me on the 11th day of Feby next to render unto the plaintiff the debt Inst. and cost together with the additional cost thereon given under my hand and seal this 1st day of Jan'y 1861.

Robert Rooker 

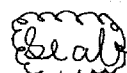
Ind. Q. W. les. to wit: To Wm. D. Farbruton late leinst. of said county whereas on the 2^d day of July 1858 Price & May obtained Judgt. against Wm. H. Whately for the sum of \$29.⁵⁰/₁₀₀ dole debt, inst from date of Judgt. and 6 3/3 cts which were recovered before the subscriber a Justice of the peace in and for said county and on the 17th day of March 1860 a fi fa was issued to Wm. D. Farbruton leinst which were levied on the following property to wit: 120 acres of land more or less with the Improvements thereon one wheat Machine and Corn Sheller and also 70 acres of land known as the Sperryland all of which you returned on hand as per Schedule of property therefore you are hereby commanded to expose again the above named property as taken at public sale and the money arising therefrom you have before me on the 11th day of Feby next to render unto the plaintiff the debt, Inst. and cost Together with the additional cost thereon given under my hand and seal this 1st day of Jan'y 1861.

Robert Rooker 

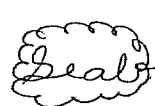
Ind. Q. W. les. to wit: To Wm. D. Farbruton late leinst. of said county whereas on the 22^d day of March 1856. Hutchenson Smith use J. S. Joslin obtained Judgt. against Wm. H. Whately & Stande J. Whately before the subscriber a Justice of the peace in and for said county for the sum of \$33.⁸⁸/₁₀₀ dole debt inst from date of Judgt and cost 6 3/3 cts and on the 24th day of March 1857 a fi fa was issued to Wm. D. Farbruton leinst. which were levied on the following property to wit: 120 acres of land more or less with the improvements thereon 1 wheat Machine & Corn Sheller All of which you return on hand as per Schedule of property therefore you are hereby commanded to expose again the above named property as taken at public sale and the money arising therefrom you have before me on the 11th day of Feby next to render unto the plaintiff the debt, inst and cost together with the additional cost thereon given under my hand and seal this 1st day of Jan'y 1861.

Robert Rooker 

Ind. Q. W. les. to wit: To Wm. D. Farbruton late leinst. of said county whereas on the 24th day of July 1857 Jno. W. Temple use Philemon Scott use Isaac S. Joslin obtained Judgt. against Wm. H. Whately, Benson Dill & Jas. R. Dill for the sum of \$29.⁵⁰/₁₀₀ dole debt inst from date of Judgt and cost 6 3/3 cts and on the 2^d day of August 1858 a fi fa was issued to Wm. D. Farbruton leinst. which was levied on the following property to wit: one hundred and Twenty acres of Land more or less Wheat Machine & Corn Sheller all of which you returned on hand as per Schedule of property therefore you are hereby commanded to expose again the above named property as taken at public sale and the money arising therefrom you have before the subscriber a Justice of the peace in and for said county on the 11th day of Feby next to render unto the plaintiff the debt, inst and cost Together with the additional cost thereon given under my hand and seal this 1st day of Jan'y 1861.

Robert Rooker 

And D. A. vs. to wit: To Wm. D. Farbrinton late levast of said levanty, whereas on the 17th day of May 1858 Jno. McDowell use of Saml. Wright obtained Judgt. ^{against} Wm. H. Whitley before the Subscriber a Justice of the Peace in and for said levanty for the sum of \$71. ⁷⁰/₁₀₀ dole debt mist. fundate of Judgt. and cost 83 cts and on the 19th day of Feby 1858 a fi fa was issued to Wm. D. Farbrinton levast. which were levied on the following property to wit: 120 acres of laid more or less 1 wheat Machine also 70 acres of land known as the spray land all of which you returned on hand as per Schedule of property therefore you are hereby comm-anded to expose again the above named property, to taken at ~~public~~ ^{Public} Sale and the money arising therefrom you have before me on the 11th day of Feby next to render unto the plaintiff the debt, cost and cost Together with the additional cost thereon given under my hand and seal this 1st day of Janry 1861.

Robert Hooker 

Daniel McYinnis use
Joshin & others

Vendi Exponas

vs
W. H. Whitley

To Robert Hooker, Justice of the Peace of Queen Anne's County.
The return of William D. Farbrinton late levastable respectfully Shows: That by writhe of sundry writs of vendi Exponas issued by Robert Hooker a Justice of the Peace of Queen Anne's County, to wit: one venditioni Exponas at the suit of Daniel McYinnis use Isaac S. Joshin, one at suit of Neutchings & Smith, one at suit of W. Knotts admr. of James Clarke, one at suit of B. S. Grotie one at suit of Jacob Lehasse, one at suit James H. Temple use Scotton use of Joshin, one at suit of Price & May, one at suit of John W. Powell assignee of Jetty & Pow. one at suit of Jones & Temple, one at suit of Saml. McKee use of W. Knotts admr. of Clarke one at suit of S. H. Beatty one at suit of John McDowell admr. Saml. P. Wright, one at suit of James Clarke use Lippincott the one at suit of Charles Bordley admr. of John Bordley against William H. Whitley & to me directed, I did seize and levy upon all right title and interest of the said William H. Whitley in & to that tract or parcel of land called "Mau-guy Pockey" or by whatsoever name the same be known situate in Dixons Election district in Queen Anne's County on the road leading from Templeville to Dixons Tavern, adjoining the lands of Robert Farrell, Standbury Whitley & others & containing one hundred and twenty acres more or less as will appear by copies of said vendi & Schedule herewith returned as part of this report and that having caused notice to be given at least twenty days before the sale by advertisement set up at the Court House door in the town of Centerville and also in the Centerville Times a Newspaper printed in the town of Centerville of the time place and manner and terms of sale I did on the twentieth day of January in the year eighteen hundred and sixty one offer at Public Sale in Templeville in said County between the hour of ten o'clock A.M. & four o'clock P.M. for cash, all the right, title & interest of the said William H. Whitley in the aforesaid tract or piece of land and Standbury Whitley being the highest bidder was declared the purchaser at & for the sum of Two hundred & twenty dollars, which said sum the said Whitley has paid to me to be applied to the payment of the aforesaid venditioni Exponas.

Wm. D. Farbrinton
Late levastable,

And now here this day, to wit: The thirteenth day of May 1864, the court pass-
ed the following order, to wit:

Daniel McGinnis use
Isaac Joslin & others
vs
William H. Whitely

penditimi Exponas issued by Robert Booker
Justice of the Peace for Queen Anne's County.

It is on this 13th day of May in the year eighteen hundred and
sixty four ordered that the sale made by William D. Farbruton Constable
pursuance of sundry writs of venditimi Exponas issued on above en-
titled judgments and reported to Robert Booker a Justice of the Peace and
now before this court for confirmation be ratified & confirmed unless cause
to the contrary thereof be shown on or before the first Tuesday of November next
provided a copy of this order be inserted in some news paper printed in
Queen Anne's County for three successive weeks before the first day of Septem-
ber next. The report states the amount of sales to be \$22,500

J. B. Ricard,

Centerville.

May 20th 1865

I hereby certify that the annexed notice of ratifi-
cation of sale was published in the Maryland Citizen for three success-
ive weeks before the first day of September last, commencing June
16th 1864.

John T. Hand.

Thereupon further process of and upon the premises of aforesaid is further
continued by regular continuances until the first Monday of May next
at which said first Monday of May in the year eighteen hundred and
sixty five, the court passed the following Order, to wit:

Daniel McGinnis use of
Isaac Joslin & others
vs
William H. Whitely

In Circuit Court for Queen Anne's
County. May Term 1865.

The conditional order of ratification heretofore passed in this cause
having been duly published in accordance with the terms thereof and
it appearing to this court that no objection has been made to the final
ratification of said sale as notified and directed by said conditional
order It is therefore this 20th day of May 1865, upon consideration of the
papers in this cause adjudged, ordered and decreed that said sale so
as aforesaid made and reported be and the same is hereby finally rati-
fied and confirmed and the clerk of this court will proceed to record pro-
ceedings in this cause in accordance with the provisions of the act of as-
sembly in such cases made and provided.

Jno. M. Robinson

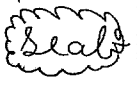
Thompson & Lee
vs
John Seeneey

Be it remembered that heretofore, to wit: on the 26th day of February in the year Eighteen Hundred and sixty six, Pere F. J. Blake in pursuance of the act of Assembly in such case made and provided files in leant here the following papers, to wit:

Queen Anne's County, &c:
The State of Maryland to P. F. J. Blake constable of said County, - Greeting:
Whereas on the 9th day of June 1864. before the subscriber a Justice of the Peace of the said State in and for the County aforesaid, a certain Thompson & Lee by the judgment of the said Justice, recovered against a certain J. Seeneey the sum of \$23.10 debt with interest thereon from 9th day of June /64. until paid, and 63 cts costs.

Therefore, you are hereby commanded that of the goods and chattles, lands and tenements of the said J. Seeneey being in your bailiwick, you cause to be made the debt, costs and charges aforesaid, and have you those sums before the subscriber a Justice of the Peace of the said State, in and for the County aforesaid, on the 30th day of July next, to render unto the said Thompson & Lee the debt, costs and charges aforesaid, with the additional costs hereon. Hereof fail not at your peril, and have you this and there this writ:

Witness, the subscriber, a Justice of the Peace of the said State, in and for the County aforesaid, who hath hereto set his hand and seal, this 30th day of June in the year of our Lord one thousand eight hundred and 64.

Jno. B. Rowleson 

On the back of the foregoing Fi fa was thus endorsed, to wit:
Property sold Tuesday November 21st 1865, and purchased by John Palmer for \$150.00

P. F. J. Blake, Const.

By virtue of the annexed writ: of fieri facias to me directed by John B. Rowleson Esquire, I seized all the right title and interest of the within named John Seeneey in and to all that farm or plantation lying on the west side of the main road leading from Church Hill to Duddersville which was then, to wit: in the summer of 1864 in the possession of John R. Scott as tenant and which continued in the possession of the said Scott as tenant to the time of the sale thereof made by me as herein after stated, the said farm or plantation being the same farm called "Rotherswood" which is particularly described in and conveyed by a certain deed from Samuel Seeneey and Catherine Seeneey his wife to the late Joshua G. Seeneey dated December 11th 1846, and recorded in G. L. No. 5. folio 198 out of the Land Record books of Queen Anne's County; and having caused notice of which that annexed to this return is a copy to be published at least twenty days before the day of sale in the Maryland Citizen a newspaper published in the town of Centerville in Queen Anne's County and to be set up at the leant house door of the said County twenty days before the day of sale, I exposed all the right title claim and estate of the said John Seeneey in and to the aforesaid farm or tract of land to sale at public auction in front of the leant house door in the town of Centerville of aforesaid on the twenty first day of November 1865 at which time and place John Palmer bid the sum of one hundred and fifty dollars cash therefor which being the highest bid that was offered I sold the said property to the said John Palmer for the said sum of \$150.00 cash and now make return of my proceedings in and about the premises according to Law.

P. F. J. Blake, Const.

Thompson & Lee }
 vs. }
 John Seene }
 Judgment before John H. Rowlinson for \$23.10 debt and
 damages with interest from 9th June 1864. til paid and
 costs. The subscriber having purchased the real estate of
 the above named John Seene at a sale thereof in virtue

of an execution issued on the foregoing judgment; made on the 21st day of November 1865. by P. F. J. Blake constable hereby give notice that he intends to apply to the Judge of the Circuit Court for Queen Anne's County at its session to be held in Centerville on the first Monday of May next for a confirmation of said sale when and where the said defendants or his creditors or any person or persons claiming any interest in the matter will have an opportunity of stating their objections if any they have why the sale should not be confirmed and for that purpose are hereby warned to appear. The property purchased by the subscriber consists of all the right, title interest and claim of the said John Seene in and to all that farm or plantation lying on the West side of the main road leading from Church Hill to Sudlersville which was in the summer of 1864 in the possession of John R. Scott as tenant and which continued in the possession of said Scott as tenant to the time of the sale thereof by the said P. F. J. Blake constable the said farm being the same farm called Brotherhood which is particularly described in and conveyed by a certain deed from Samuel Seene and Catherine Seene his wife to the late Joshua G. Seene dated December 18th 1846 and recorded in Liber of J. T. No. 5. folio 198 one of the record books of Queen Anne's County and was struck off for the sum of \$150.00

John Palmer

And therefore the court passed the following Order, to wit:
 Ordered this 30th day of January 1866 that the sale above mentioned be ratified and confirmed provided a copy of the above notice be inserted in some newspaper published in Centerville Queen Anne's County for three successive weeks before the first day of April next.
 Jno. M. Robinson

And therefore further process of and upon the premises aforesaid is further continued by regular continuances from term to term of said court until the first Monday of May next at which said first Monday of May in the year eighteen hundred and sixty six. the following certificate of Publication was filed, to wit:

I hereby certify that the notice accompanying this certificate was published for three successive weeks in the Maryland Citizen before the first day of April last.

John I. Hand,
 June 21. 1866.

Therefore the court passed the following Order, to wit:
 Ordered this 21st day of June 1866. that the above mentioned sale be and the same is hereby finally ratified and confirmed no cause to the contrary having been shown although the within notice appears to have been given as required by the preceding order.
 Jno. M. Robinson

In the matter of the Petition of
 C. E. Brown to value and divide
 the Real Estate of C. E. Brown deceased

In the Circuit Court
 for
 Queen Anne's County

To the Honorable the said Court:

The Petition of Charles C. Wilson and Robert J. Wilson of
 Queen Anne's County, State of Maryland respectfully represents,
 1st. That at a sale made by Commissioners in the above entitled case on the 26th
 day of September 1837 under order of the Court, Thomas S. Wilson became the pur-
 chaser of Lot or Division No 2. described in Commissioners Return filed in the case
 at the sum of \$7580.00 paid the cash sum required by order of Court and gave
 bond for residue in conformity with order of Court which was accepted and
 approved by the Commissioners and now is on file in said case.

2nd. That Thomas S. Wilson departed this life in 1875, leaving a last will duly ex-
 ecuted to pass Real Estate, admitted to probate by the Orphan's Court for Queen
 Anne's County and now on file in Register's Office of said County whereby
 he devised said Real Estate or Division No 2. to Ellen C. M. Wilson and in case of
 her death without issue leaving same over to his Brother.

3rd. That as the said Ellen C. M. Wilson died intestate in 1891, leaving issue Robert
 J. Wilson, Charles C. Wilson, Martha F. Wilson, Ellen C. Wilson, Anna M. B. Wilson
 now Anna M. S. Embert wife of Thomas A. Embert entitled to said Real Estate
 and they have had partition of this and other Real Estate among them-
 selves and in this Partition, evidenced by Deed Record Lot No 2. or Division
 No 2, or Division No 2, has been allotted to your Petitioner, Robert J. Wilson
 excepting the River Field thereof which has been allotted to your Petitioner
 C. Wilson,

4. That as matters now stand their title to Lot or Division No 2. is imperfect
 and unsatisfactory since Thomas S. Wilson while having paid for said land died
 without receiving the legal title sheets and now all the Commissioners in said case her-
 tofore appointed have died.

5. Your Petitioners file herewith as part of this Petition ^{Exhibits} A. and B
 Your Petitioners pray that William McKenney of Queen Anne's County, Maryland
 may be appointed Commissioner and authorized to grant and convey said Lot
 No 2. or Division No 2. to the said Robert J. Wilson and Charles C. Wilson according
 to their respective holdings and ownership thereof.

And as in duty bound,

J. B. East Brown, Attorneys for C. C. Wilson Petitioner
 P. B. Kopper Attorneys for Robert J. Wilson Petitioner

The purchase money for Lot or Division No 2, described in the above
 Petition has long since been settled and paid for and Bond has been discharged
 to my personal knowledge, I superintended the closing of the whole matter
 John B. Brown.

Martha F. Wilson, Ellen C. Wilson, Anna M. S. Embert, agree to the above
 petition and the prayer therein contained,

P. B. Kopper Atty.

Ordered, on this foregoing Petition of Charles C. Wilson and Robert
 J. Wilson, on this fifteenth day of June, in the year 1892, By the Circuit
 Court for Queen Anne's County and by authority thereof, this Court being
 satisfied of the payment of the purchase money by Thomas S. Wilson

or his copartners for Lot 4^o 2, or Division N^o 2, being the Farm called Wheatlands, described in the case in this Court, entitled, "In the matter of the Petition of Chas. Brown to value and divide the Real Estate of Chas. Brown deceased;" That William McKenney of Queen Anne's County, Maryland, be and he is hereby appointed commissioner the commissioners in said case having reported this life to grant and convey said Lot 4^o 2, or Division N^o 2, to Charles C. Wilson according to their respective holdings and ownership thereof as appears by contract for Partition filed therewith executed by the heirs at law of Ellen E. M. Wilson Deceased of Thomas S. Wilson.

Filed June 16th 1892.

Joseph S. Wickes

Exhibit A.

State of Maryland, Queen Anne's County, to wit:

I William Dever, Clerk of the Circuit Court for Queen Anne's County, hereby certify and make known and also make affidavit that it appears from the papers and proceedings in a cause in the Circuit Court for Queen Anne's County in Equity of Thomas S. Wilson vs C. B. Mitchell, Mary E. Brown, Executors, Legatees and devisees of Charles C. Brown, deceased and others being No 439 on the Chancery Docket of said Court that on the 24th day of August 1884 a final order was passed ratifying and concluding various accounts of sales of Wheatlands Acres, distributions &c growing out of the settlement of the estate of Charles C. Brown whose Real Estate was brought into the Circuit Court for Queen Anne's County for division and settlement in about the year 1837, the said Charles C. Brown named in No 439 above described being the son and heir at Law of the said Charles C. Brown of 1837, and that Records in accordance with said settlement have been filed in the Clerk's office of Queen Anne's County Circuit Court.

In Testimony whereof, I hereunto subscribe my name and the seal of the Circuit Court for Queen Anne's County, this 13th day of May A. D. 1892,

Wm Dever, Clerk

Sworn and Subscribed before me a Justice of the Peace of the State in and for the County aforesaid on this 13th day of May 1892,
in presence of J. B. Brown

R. Emory, Jr. J. P.

Exhibit "B."

As a matter of settlement and compromise and to carry into operation and to effect as nearly as possible, the views and purposes of the late Mrs. Ellen M. Wilson, of Queen Anne's County, Maryland, deceased, and to finally settle her real and personal estate, it is agreed and understood as follows, to wit:

1. The silver ware is to be weighed by a disinterested party, to be selected by J. B. Brown and P. B. Noffer and divided into four parts, as nearly equal as possible; which parts shall be selected and taken by the following named persons, in the order of their naming; 1. Martha T. Wilson, 2. Anna M. S. Lambert, 3. Ellen E. Wilson, 4. C. C. Wilson, 5. P. J. Wilson, equality in the parts to be established by payments of money between the parties at a rate per ounce equal to the value fixed in the inventory filed in the estate.
2. The house hold and kitchen furniture, brass, iron, cutlery, China ware, etc, etc, in omne genus, shall be taken by Martha T. Wilson and Ellen E. Wilson at the appraised value, as per inventory filed in the Orphan's Court for Queen Anne's County, aforesaid, for which they shall give their note to C. C. Wilson administrator, with interest added, which said note shall be held by the said administrator until the personal estate of Mrs. Ellen M. Wilson is closed and which said note shall not be used by the said administrator unless the assets in his hands are not sufficient to pay Mrs. Ellen M.

Wilson's debts and costs of administration (in this respect the stocks and Bonds are not to be considered assets) and then only so far as may be necessary to pay the debts and costs are paid by the other assets. C. C. Wilson surrenders to his executors any interest he may have as distributee in all the property embraced in this item and only exacts a release from the other parties hereto, for the property mentioned in this item, as a condition for the surrender of the aforesaid note when the estate is settled. B. J. Wilson may take the carriage, the cattle and any other property mentioned in the inventory of appraisement, which is not been otherwise disposed of, that he may desire to take, at its appraised value as per inventory, for all property so taken by him, he shall give his note to the administrator, with interest added and satisfactory security and payable in March 1892, in time to meet the indebtedness of the estate. This money, with the money in hand to be devoted to the payment of the debts and the costs of administration with the expectation of its sufficiency. The Bonds and stocks, and all dividends, accrued and to accrue thereon, to become the estate and property of Martha T. Wilson and Ellen E. Wilson who shall pay to Anna M. S. Embert the sum of one thousand dollars. The proper assignments and transfers of the said Bonds and stocks to be made as soon as the personal estate is closed.

5. All costs of administration and debts remaining unpaid after the exhaustion of the money arising from the cattle, carriage, furniture and the money collected by the administration, shall be provided for and paid, in equal parts, by Martha T. Wilson, Ellen E. Wilson, B. J. Wilson and Anna M. S. Embert, as soon after said deficit is ascertained as possible.

6. Charles Wilson shall take lot # 1. of Wheatlands described in a deed therefor to Mrs. Ellen M. Wilson from J. B. Brown and T. J. Heating, Trustees, also all that part of Harrington heretofore deeded to him by Mrs. Wilson and all other advances made to him, he shall also take the river field of Collands and ^{he} shall be allowed the costs of administration, including commissions to be fixed by the Orphan's Court for Queen Anne's County, and a right of way over lot # 2. of Wheatlands as now used and enjoyed. 7. B. J. Wilson shall take a one third interest in the Harrington dwelling house, outbuildings and grounds used therewith. He shall take all that part of Harrington between Brown Chimneys and Cedar Dale, north of Cherry Lane, and all the Collands farm, except the river field. He shall also have the right to seed wheat on the river field of Collands this fall and to reap the same, the crop to be his without payment of rent or charges of any kind, but he shall pay the taxes on said field for the year 1891.

8. Martha T. Wilson and Ellen E. Wilson shall take two thirds interest in the Harrington dwelling house, outbuildings and grounds used therewith, also all that part of the Harrington farm south of Cherry Lane, and all the Bonds and Stocks left by Mrs. Ellen M. Wilson.

9. Anna M. S. Embert takes lot # 2. of Wheatlands, with all the buildings thereon, which is described in a deed therefor to Mrs. Ellen M. Wilson from J. B. Brown and T. J. Heating, Trustees, subject to the right of way over it; also one thousand dollars, to be paid her as hereinbefore said and also a parcel of wood land lying in Piney Neck, Queen Anne's County, containing about 24 acres.

10. The parties hereto take the crops on the lands taken by them respectively growing thereon at the time of the decease of Mrs. Wilson, as if the said lands had been devised to them and each shall pay the taxes for the year 1891, on the lands so taken by him or her.

11. This agreement shall be confirmed by a deed of partition of the lands mentioned herein, which deed shall be executed and enrolled as soon

as it can be prepared after the signing of this agreement; and and the residue thereof to be carried into effect as soon as the requirements of law will permit; each party hereto shall pay his or her counsel fees in this matter. Thomas A. Embert joins in this agreement with his wife.

To all the foregoing provisions, stipulations, conditions and to king, all the undersigned parties hereto fully consent and agree

Witness their hands and seals this first day of October in the year 1891.

R. E. Davidson

Test as to signatures of

Miss M. T. Nelson

Miss Nellie Nelson


Mrs. Anna M. S. Embert

Thos A. Embert

Test as to signature of

R. J. Hillson


R. E. Davidson


Chas. C. Hillson 

Martha T. Hillson 

Ellen E. Hillson 

R. J. Hillson 

Anna M. S. Embert 

Thomas A. Embert 

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