

Ordered by the Court this 10<sup>th</sup> day of June 1852. That the second Report of the auditor, made in this cause, be and the same is hereby finally ratified, and confirmed, no cause to the contrary thereof having been shown, although due notice appears to have been given, as directed by the Court. The Justice is hereby directed to pay the funds as audited, with a due proportion of Interest, received, or to be received,  
 June 11. 1852. M. Nelson.

Eichelberger & Nelson  
 Michael Smith  
 John Henry Smith  
 Mrs. Walker &  
 Elizabeth his wife &  
 others v.

No 2376 Equity. In Frederick County Court sitting as a Court of Equity. Bill filed 22<sup>d</sup> July. 1851. This in the words & figures following.

To the Honble the Judges of Frederick County Court, sitting as a Court of Equity. The Bill of Complaint of

Eichelberger and Benjamin M. Nelson, partners, trading under the name style, and firm of Eichelberger & Nelson of Baltimore City, in the State of Maryland, who sue as well for themselves, as all other creditors of James Smith, late of Frederick County deceased, who will come in & contribute to the expenses of this suit, humbly represents, unto your Honors that a certain James Smith, late of Frederick County deceased was in his life time, and at the time of his death, indebted unto your orators, in the sum of One Hundred, and Fifty eight dollars, & Seventy three cents, Current money for sundry matters & things properly chargeable in account, as by your orators exhibit et. filed as part, of this account, will more fully appear, which with all other exhibits herewith filed, your Orators pray may be taken as part of this their Bill of Complaint.

And your Orators further charge, that the said James Smith being indebted as aforesaid, unto your orators, and also unto divers other persons, in various sums of money, departed this life, in the year eighteen Hundred and Fifty seized & possessed of personal Property of Value, and certain Real Estate to wit, parts of a Trust of Land called "Drum Clines" lying & being in Frederick County & State of Maryland, & more particularly described, and set forth, in the copies of the Deeds - thereto herewith filed, and marked, exhibit B C. and that the Trust mentioned in Exhibit C was by the said James Smith in his life time, mortgaged to a certain Nathan Nelson, in which mortgage Michael Smith the wife of the said James Smith joins, that said mortgage, and that the estate on which it was given, has been assigned to a certain William M. Walker who now holds the same, and that the Property so mortgaged is more than enough to pay the claim, on which said mortgage has been given. And your Orator further charges, that an administration of all & singular the personal property of the said James Smith dec<sup>d</sup> hath been granted by the Orphan's Court of Frederick County, to a certain William M. Walker of said County

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