

of displacing said Isaac Walker & appointing some proper person as trustee, in his stead, and these respondents state - that with that exception the said bill was filed by them just exactly as they had filed all other bills in similar cases & that the difference in the form & nature of the bill was caused by the difference in the circumstances of the case, and these respondents deny that there was any arrangement, understanding, or agreement, either written, or verbal, with these respondents, or among themselves as far as these respondents have ever been liable to ascertain whereby certain of the creditors of said Jacob Walker were to pay either to these respondents or to said Robert Nelson, all such costs fees & expenses as he might incur in filing said bill. But these respondents are entitled to receive pay for their services in said cause & why - they had been in the habit of receiving their fees in similar cases, and where all other members of the bar had been in the habit of receiving them in such cases, out of the Trust funds when they were brought in for distribution and audit, as said bill of Complaint was filed, and said proceedings instituted for the benefit of all the creditors of said Jacob Walker, according to their respective rights, and not for the private benefit of said Robert Nelson, or a particular set of said creditors.

These respondents know nothing of the retention of W. B. Suckell Esq. by said Isaac Walker as his Counsel, but admitting the same, have yet to learn that the creditors were thereby debarred from employing any Counsel, or soliciting they might think proper to file a bill of Complaint for the settlement of said Trust. These respondents therefore pray that said objections may be overruled, and said audit ratified as stated.

Jakob & Eichelberger

State of Maryland Frederick County to wit; On the 24 day of September 1852, before the subscribers a Justice of the peace - in and for said County & State, personally appears Grayson - Eichelberger, one of the above named respondents & makes oath that the matters & charges stated, and set forth, in the foregoing answer are true, to the best of his knowledge in formation & belief.

Sword & Beefe

W. Allaboney

Robert Nelson } N. 2523 Equity in the Circuit Courts for  
 } Frederick County July Term 1853.  
 Jacob Walker & } The undersigned Justice begs leave to report  
 others } that on the 31<sup>st</sup> July 1851 he sold the property  
 of Jacob Walker, known as the Mill property at Public sale to Michael Gisselman, he being then & there the highest bidder therefor, at and for the sum of four <sup>thousand</sup> ~~hundred~~ Dollars. Your Petitioner begs leave to say that He delay in reporting arises from the fact that the first payment of said two thousand dollar was at once exhausted by its application to - a lien, & there was of course nothing to distribute of the sale funds, your Justice received two thousand Cash; The -