

John Maught  
 Andrew Maught &  
 Solomon Blessing  
 vs  
 Samuel Funk  
 Benedict Boone  
 Thomas Lamar & others

No 1677 Equity.

To the Honorable Madison Nelson, Judge of the said Judicial Circuit of the State of Maryland, sitting as a court of Equity -

This Petition of Joseph Hartgenbauer of the county of Frederick State of Maryland respectfully sheweth - that by a decree of Frederick County Court as a Court of Equity, passed in a Cause in said Court pending, wherein John Maught, Andrew Maught and Solomon Blessing were Complainants, and Samuel Funk and others were

Petition -

defendants - Frederick A Schley and Joseph M Palmer Esq<sup>r</sup> were appointed Trustees to sell the real estate therein mentioned, and that said Trustees did on the 20<sup>th</sup> day of April in the year 1846 sell to John Maught and Samuel Maught the real estate therein described, consisting of all that part of a tract of land called "Fielders" and also all that part of a tract of land called and known by the name of "Good Luck" - lying and being situated in the County of Frederick, state aforesaid, containing forty six acres and one quarter of land more or less, upon which is a Merchant Mill, Saw Mill, dwelling house and out houses, and being situate near the ridge road leading from Frederick Town to Harpers Ferry, at and for the sum of Twelve thousand dollars - which sale was reported to and finally ratified by the Court, as will be seen by reference to the Bill and all proceedings in No 1677 Equity, which your Petitioner prays may be taken as a part of this his Petition - Your Petitioner further states, that the said Samuel Maught afterwards by deed dated on the 16<sup>th</sup> day of July in the year 1847 - conveyed his undivided moiety in said lands and tenements to said John Maught who became solely seized and possessed of the same. Your Petitioner further states - that by a decree passed by the Frederick County Court, sitting as a Court of Equity, dated on the twenty six day of February in the year 1849 Thomas J Maught, Andrew C. H Maught and Leonard W Maught were appointed Trustees, to sell the real estate of said John Maught dec<sup>d</sup> embracing the herebefore described real estate, that on the 17<sup>th</sup> day of May in the year 1850 the said Trustees sold the said property to one William H Kump for the sum of Six thousand dollars - and that your Petitioner by proceedings had in said cause was substituted as purchaser, and the said sale reported to and finally ratified by the court, all which matters will fully appear by reference to the Bill and all proceedings in No 2220 Equity - Your Petitioner further states that he has fully paid all the purchase money to the said Thomas J Maught, Andrew C H Maught and Leonard W Maught Trustees, who by deed dated on the 3<sup>rd</sup> day of April 1854 have conveyed to your Petitioner all the equitable right title and estate of the parties in No 2220 Equity - Your Petitioner states that the whole of the purchase money due by John Maught and Samuel Maught to the said Frederick A Schley and Joseph M Palmer Trustees, has been paid by the said John Maught and Samuel Maught, and by Thomas J Maught, Andrew C H Maught and Leonard W Maught administrators of John Maught - Your Petitioner further states that the said Trustees Frederick A Schley and Joseph M Palmer have never conveyed the said lands and tenements to the said John Maught and Samuel Maught or either of them, or to your Petitioner who is now the sole owner - Your Petitioner therefore prays your Honor to pass an order, substituting your Petitioner as purchaser, and directing and empowering the said Frederick A Schley and Joseph M Palmer Trustees, or the survivor of them to execute a deed to your Petitioner for said lands and tenements, or shew cause to the contrary on or before a certain day, - And your Petitioner will ever pray

J<sup>r</sup> Ross Solicitor  
for Petitioner

Courts  
Order

Ord  
Court

Affidavit  
of  
Mortgage

Return  
J<sup>r</sup> Mary  
& others