

## No 2535 Equity.

The State of Maryland, Frederick County, to wit

At a Circuit Court of the Third Judicial Circuit of the State of Maryland, sitting as a Court of Equity - begun and held at the Court House in Frederick town, in and for said County on the 23rd day of March 1854

Present The Hon Madison Nelson Circuit Judge  
Isaac Le O'Neal Esquire, Sheriff, and  
Edward Sherwin, Clerk

Among other were the following proceedings, to wit -

Lewis Logue & } Best remembered that heretofore to wit - On the 31st day of Decem-  
Mary Logue } ber 1853 - comes Lewis Logue & Mary Logue into the court, sitting as  
on } a Court of Equity, by Grayson Eichelberger Esq<sup>r</sup> then Solicitor, & files  
Petition - } in Court here the following Petition & Exhibit &c viz: -

Petition \_\_\_\_\_ To the Honorable Madison Nelson, Judge of the Circuit Court for  
Frederick County, sitting as a Court of Equity

The petition of Lewis Logue and Mary Logue his wife, respectfully sheweth unto your Honor, that on the 15th day of September 1851, a certain Catharine Weaver of Frederick County made & executed her last will & testament in due form of law, and departed this life sometime during the month of January 1853 without having in any manner revoked the same - that the said Catharine Weaver in said last will & testament amongst other things ordered & directed her executor to sell at public or private sale her two houses & lots of ground and to execute good & sufficient conveyances for the same to the purchaser or purchasers and the proceeds of sale to be distributed as therein directed and named, and appointed your petitioner Lewis Logue as the executor thereof; as will fully appear by said last will & testament, a true and certified copy whereof is herewith filed as Exhibit No 1 which with all other Exhibits your petitioners pray may be taken as a part of this petition as if here inserted - Your petitioners further state that Lewis Logue, one of your petitioners accepted said trust & that on the 17th day of January 1853 he obtained letters testamentary on said will from the Orphans Court of Frederick County, as will appear by said Exhibit No 1, that as such executor he has settled the personal estate, but after repeated efforts has been unable to sell said real estate or to obtain any thing like the true value of the same - that the said property is getting out of repair & should be sold as speedily as possible - and your petitioner Lewis Logue desiring that the same should not be sold at a sacrifice to the great injury of the parties interested has declined and now declines acting any further as such executor or trustee to sell said real estate - And your petitioners therefore pray your Honor to appoint a trustee in the place & stead of said Lewis Logue to sell said houses & lots, and to carry out & execute the trusts created by said last will & testament - and to grant unto your petitioners all such further relief as the case may require & to your Honor shall seem meet, & your Petitioners will ever pray &c

Grayson Eichelberger  
Solicitor for Petitioners

Exhibit No 1 is in the words & figures following - to wit.

Maryland Set The State of Maryland, to all persons to whom these presents may come -  
Greeting Know ye, that the last will and testament of Catharine Weaver deceased, hath in due form of Law, been exhibited, proved and recorded in the office of the Register of Wills for Frederick County, a copy of which is to these presents annexed, and administration of all the Goods, Chattels, and Credits of the deceased is hereby granted