

And which is still unpaid - This Respondent admits to be true - That Thomas Elder executed a last will & Testament, containing sundry devises and bequests as the Complainant changes This respondent admits - That Thomas Elder died in March 1853 without having revoked said will, and that he left a widow by the name of Lydia Ann and two children viz Thomas Elder & this respondent, all of whom reside in Frederick County, except this respondent who resides in Baltimore City, and all of whom are of the full age of Twenty one years This Respondent admits - That Lydia Ann Elder the widow has renounced the will of the said Thomas Elder and that Letters of administration, with the will annexed have been granted by the Orphans Court of Frederick County, to John Walter who has entered upon his duties - This Respondent admits - That Thomas Elder died seised of large Real Estate in Frederick County - That he was largely Indebted at the time of his death - That his personal Estate is utterly insufficient to pay his debts, and that it will require the greater part if not of the whole of the Real Estate for the payment of his debts

Eleanor Croten

Wm P Maulsby } Sollen, } We agree to receive the above answer without oaths
 H J Nelson } For Resp } Aug 20 1853 Wm J Ross. Sall for Compt

The following Recommendation was filed Aug 31 1853

To the Hon Mason Nelson Judge of the Circuit Court, for Frederick County, sitting in Equity We the undersigned Creditors of Thomas Elder late of Frederick County deceased recommend John Walter the administrator of said deceased, as a suitable person to be appointed by your Honor as trustee to sell the Real Estate of said Elder

- | | |
|------------------|----------------|
| John Jones | W. H. Grimes |
| William Richmond | J. W. Riggs md |
| Eleanor Croten | Wm Zimmerman |
| John Knouff | Queen Orrey - |
| Isaiah Martin | Geo Hesser - |
| Isaac Hoover | P R Harry - |
| Isid Roeser | R. S. Seiss md |

These are the names of the creditors } Wm Sefton -
 John Walter & Wm Zimmerman are } John Arthur
 the largest Creditors This estate is nearly insolvent

The following Answer was filed 15th Oct 1853

Grimes v } No 2506 Equity In the Circuit Court for Indk County
 " } The answer of John Walter to the Bill of Complaint of Wm H Grimes
 Elder & others } In this case Exhibited This defendant admits the facts stated in
 said Bill, and is willing that a Decree should pass as prayed

W. B. Luckett Sall for
John Walter.

Thereupon the following Decree was passed

William H Grimes } No 2506 Equity
 " } In the Circuit Court for Frederick County
 Lydia Ann Elder John Walter adm } sitting in Equity Oct Term 1853
 Et Al of Thomas Elder & others } This Cause standing ready for hearing &
 Bill answers and all other the proceedings were by the Court fully read & known } being submitted without argument the
 It is thereupon this 18th day of October, in the year eighteen hundred and fifty three - }
 by Mason Nelson Judge of the Circuit Court for Frederick County, sitting in Equity }
 and by the authority of said Court, adjudged ordered & decreed - That the Real }
 Estate of which Thomas Elder died seised & mentioned in these proceedings or }
 so much thereof as may be necessary for the payment of his debts, be sold That }