

The following Petition was filed February 10. 1855.

To the Honorable Madison Nelson, Circuit Judge of the third Judicial Circuit of the State of Maryland, sitting in the Circuit Court for Frederick County, as a Court of Equity.

The Petition of Edward A. Shimer of Frederick County, State of Maryland, Respectfully shows - That by a Decree of your Honorable Court, passed in No. 2577, Equity, your Petitioner was appointed a Trustee to sell the Real Estate of Cornelius Shimer, late of Frederick County, &c. That your Petitioner as Trustee, on the Seventh day of February, eighteen hundred and fifty five sold all the Real Estate of the said Cornelius Shimer, except the Cresville Mills, and the Lands thereto attached, containing forty acres, and twenty perches of Land. That your Petitioner was offered for the same, fourteen thousand, one hundred dollars, which your Petitioner declined to receive, as your Petitioner was willing to give for the same, fourteen thousand six hundred dollars. your Petitioner states - that he is a son, & one of the heirs of said Cornelius Shimer & dec'd and Interested in said property, and by reason of being Trustee was unable to bid at the said sale - your Petitioner prays your Honor to pass an order and Decree, discharging your petitioner from his trust, as Trustee for the sale of Cresville Mills and Lands attached thereto, and to appoint some other suitable person as Trustee to make said sale and to authorize your Petitioner to become a bidder for the said Cresville Mills, and the Lands thereto attached, and your Petitioner will ever pray.

E. A. Shimer.

Edward A. Shimer - In No. 2577, Equity. In the Circuit Court for Frederick County, as a Court of Equity. The Petition of Edward A. Shimer, filed in this cause being read & Considered. It is thereupon this 9th day of February, Eighteen hundred, and fifty five - by Madison Nelson Circuit Judge for the third Judicial Circuit of the State of Maryland, sitting as a Court of Equity, and by the authority of said Court, Ordered, adjudged, and Decreed - That Edward A. Shimer be discharged from his office as Trustee for the sale of the Cresville Mills, and the Lands attached thereto, and that Abraham Kempf of Frederick County - be, and he is hereby appointed Trustee to sell the Cresville Mills, and the Lands thereto attached - mentioned in these proceedings, and that the course, and manner of his proceedings shall be as follows. He shall first file with the Clerk of this Court, a Bond to the State of Maryland, to be executed by himself & two securities, in the penalty of thirty thousand dollars, to be approved by this Court, or the Clerk thereof, (Conditions) for the faithful discharge of the trust reposed in him by this Decree, or which may be reposed in him by any future Decree, or order in the premises. He shall then proceed to make said sale, of said Real Estate, having first given at least three weeks Public Notice by advertisement inserted in some newspaper published in Frederick County of the time, place, manner, and Terms of sale, which Terms shall be, One third in hand, & the residue in two equal annual payments, to bear Interest from the day of sale, and the payment thereof to be secured by the Bonds, or notes of the purchaser, with a surety or sureties to be approved by the Trustee. And as soon as may be convenient after such sale, the said Trustee shall return to this Court, a full, and particular account, of the same - with an affidavit of the truth thereof, and of the fairness of such sale, annexed, and on the ratification of such sale, by the Court, and the payment of the whole purchase money, & not before - the said Trustee, by a good, and sufficient deed to be executed & acknowledged, according to law, shall convey to the purchaser, or purchasers of said property, and to his her, or their heirs, the property, to him, her, or them sold, free clear & discharged of all claim of the parties to this cause, and of any person, or persons, claiming by from or under them. and the said Trustee shall bring into this Court the money arising, on such sale, and the Bonds, or notes which may be taken for the same, to be disposed of, under the direction of this Court, after deducting therefrom the costs of this suit, and such Commission to said Trustee, as the Court shall think proper to allow on consideration

-eration