

State of Maryland. Frederick County Set.

I hereby certify—that it appears from the Records, and proceedings of the Frederick County Court, in N<sup>o</sup>. 3370. Insolencies, that on the Fifth day of February, A.D. 1847. George W. E. Wertenbaker of Frederick County, made application by Petition in writing to the Hon. Washington Burgess, one of the Justices of the Orphans Court for Frederick County, to grant him relief according to the provisions of the act of assembly, entitled an act for the relief of sundry Insolvent debtors, passed at November Session 1845, and the supplements thereto. That at the time of his said application William Wertenbaker was duly appointed his Trustee, and executed a Bond to the State of Maryland, for the sum of Twenty dollars, conditioned for the faithful performance of the several duties required of him as such Trustee, all which will appear by reference to the proceedings in the cause aforesaid. In Testimony whereof—I hereunto subscribe my name, and affix the seal of the Circuit Court for Frederick County, this 3<sup>d</sup> day of May, A.D. 1854.

Edw. Strider C.

The following order was passed, May 3. 1854

Peter Nicholls & wife } N<sup>o</sup>. 2554. Equity. In the Circuit Court for Frederick County.  
 17. } February Term 1854. The object of this suit is to procure a Decree for a sale of certain Real Estate, lying in Frederick County Maryland, which was devised by Woodward Eitt, to Mary Eitt for life, and after death, to certain named Children of the Testator. The Bill states, that on the 12<sup>th</sup> of August 1831, Woodward Eitt, made his will & thereby devised amongst other things certain Real Estate, lying near the City of Frederick, to his wife Mary Eitt, during her natural life, and at her death to the heirs of her body, by the Testator begotten if any such should be living at her death; and if none such, then that said property should be sold, and the proceeds divided equally among Mary Nicholls, Susannah Wertenbaker, George W. Eitt, Catharine Hamilton & Joseph Eitt: That there are no heirs of the body of Mary Eitt, by said Testator begotten. That the said Mary Nicholls, Catharine Hamilton & Joseph Eitt, are the survivors of said said five named devisees: That Mary Nicholls, & Catharine Hamilton, reside in Frederick County Maryland, and the said Joseph Eitt, in Ohio: That some years since the said Susannah Wertenbaker—departed this life, leaving the following Children, Viz. William Wertenbaker, George W. E. Wertenbaker, Woodward Wertenbaker, Mary Etchison, wife of Thomas Etchison, Ann Burgess, wife of Washington Burgess, & Catharine Kessler, wife of Abalom P. Kessler. That William Wertenbaker, Thomas Etchison & wife & A. P. Kessler & wife reside in Frederick County Maryland. That Washington Burgess & wife, reside in the City of Baltimore, and that George W. E. Wertenbaker & Woodward Wertenbaker, reside out of the State of Maryland. That on the 2<sup>d</sup> of August, 1844 the said William Wertenbaker applied for the benefit of the Insolvent Law, of Maryland, & that Michael N. Haller of Frederick County was appointed his Trustee. That on the 5<sup>th</sup> of February, 1847, George W. E. Wertenbaker applied for the benefit of said Insolvent Law, and that William Wertenbaker, was appointed his Trustee. That some years since the said George W. Eitt, departed this life, after having duly made his said last will, and Testament, whereby he devised all his Interest in the aforesaid Real Estate to a certain Elizabeth Penn, who now resides in the State of Virginia. The bill further states, That said property is lessening in value, and that it will be for the Interest, and advantage of all parties concerned, That it should be sold, and prays a Decree of sale. It is thereupon adjudged & ordered, That the Complainants, by causing a Copy of this order, to be inserted in some Newspapers, published in Frederick Town, once a week, for one month, before the tenth day of June, next, give notice to the said absent defendants, of the Object, and substance of this Bill, —