

The Petition of Margaret Biser, George S. Whip & Mary C. B. his wife, Jonathan Foley & Julia his wife of Frederick County humbly shew - That since filing the Original bill in this cause, Jacob Mullendore one of the defendants in this cause, & before the summons was served upon him has departed this life. But whether he died intestate, or left a last will & Testament is unknown to your Petitioners. But your Petitioners are informed & show unto your Honor. That the said Jacob Mullendore has left the following children, and heirs at Law to wit Malinda, John, Jacob, Daniel, who are adults & live in Washington County & Joseph, Julia Ann, and Sarah infants, under age, who also live in Washington County & one grand daughter Mahala Rhores, the daughter of Jeremiah Rhores, who is an infant, under age & lives in Washington County. Wherefore your Petitioners pray - That the said Malinda Mullendore, John Mullendore, Jr. Jacob Mullendore, Daniel Mullendore, Joseph Mullendore, Julia Ann Mullendore, Sarah Mullendore, and Malinda Rhores, may be made, parties defendants to this suit & to grant unto your Petitioners, the writ of Subpoena, against - Malinda Mullendore, John Mullendore Jr. Jacob Mullendore Jr. Daniel Mullendore, Joseph Mullendore, Julia Ann Mullendore, Sarah Mullendore & Malinda Rhores of Washington County, Commanding them to appear in this Court at some certain day, to be therein named, to answer the Original Bill in this cause, and the matters & things set forth in this Petition, and abide by, and perform such decree, as may be passed therein, and as in duty &c.

John A. Lynch, Seller,
For Petitioners

In the Circuit Court for Frederick County, Sitting as a Court of Equity
October Term 1854.

Ordered that the said Malinda Mullendore, John Mullendore Jr. Jacob Mullendore Jr. Daniel Mullendore, Joseph Mullendore, Julia Ann Mullendore, Sarah Mullendore, and Malinda Rhores be made parties defendant to this suit, in the place of the said Jacob Mullendore dec. as his heirs & representatives at Law, and that they be summoned accordingly. Provided that said summons, be served on them, before the 15th day of Dec^r next, and be made returnable to the next term.

November 14, 1854.
W. Nelson.

Margaret Biser, and Others. } No. 2563. Equity. In Circuit Court, for Frederick County.
vs. } sitting as a Court of Equity. October Term 1854.
John Mullendore & others. } To the Hon. W. Nelson Judge of the Circuit Court for Frederick County. The Complainant, in the Original Bill, and also in the Petition, in this cause to make Malinda Mullendore & others, defendants - Respectfully states unto your Honor that Malinda Rhores has departed this life, leaving as her heirs at Law, Malinda Mullendore, John Mullendore, Jacob Mullendore, Daniel Mullendore, Joseph Mullendore, Julia Ann Mullendore, Sarah Mullendore who are already made parties defendant to this Bill by an Order passed by your Honor in this case, on the 14th of Dec^r 1854.

John A. Lynch, Seller,
For Complainants

The following Order was filed 14th Dec^r 1854.

Margaret Biser & others. } No. 2563. Equity. In the Circuit Court, for Frederick County.
vs. } sitting as a Court of Equity. October Term 1854.
John Mullendore & others. } The Clerk of the Circuit Court, for Frederick County, will issue a Commission to George K. Shellman Esq^r to appoint Guardian & to take answer of Infant defendants in the Bill filed in this case viz. Joseph Mullendore, Julia Ann Mullendore & Sarah Mullendore

John A. Lynch, Seller,
For Compl^t.

Whereupon the following Commission was issued,
Maryland, Sec^r. The State of Maryland, to George K. Shellman, Esq^r of Frederick -