

N^o 26 10. 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 & held at the Court House, in Frederick Town - in and for the County aforesaid on the 10th day of October. Eighteen Hundred and Fifty five. Present

The Honorable Mason Nelson Circuit Judge.

Israel C. DeNeal. Esq. Sheriff. &
Edward Shivers cks.

Among other were the following proceedings to wit:

Nathan Burgee & Shadrach Burgee	} Best remembers that hereofore to wit: on the 19 th day of March 1855. Came the said Nathan Burgee and Shadrach Burgee in the Court here, sitting as a Court of Equity by Grayson Eichelberger Solicitor - and filed in Court here the following Bill and Exhibit to wit:
Isaac Burgee. Geo. S. Dill Wm Martin & Maria his wife.	
Thomas Lewis & Hester his wife.	

To the Honorable Mason Nelson. Judge of the Circuit Court for Frederick County. sitting as a Court of Equity. Humbly - Complaining - shew unto your Honor, your Orators Nathan Burgee and Shadrach Burgee - That some time in August. 1854. a certain Abraham Burgee of Frederick County, departed this life intestate, seized and possessed of a small tract of Land, lying and situate, in said County - which is fully and particularly described, in the deed of Conway and thereof, a true and certified Copy of which is herewith filed, marked exhibit No. 1. which with all other exhibits, your orators, pray may be taken - as a part of this their bill of Complaint, as if here inserted in words and figures. your orators further charge - that the said Abraham Burgee departed this life, leaving as his only heirs at Law the following names Brothers and Sisters viz. your orators Nathan Burgee, and Shadrach Burgee, and Isaac Burgee Maria, who has intermarried with a certain William Martin, and Hester who has intermarried with a certain Thomas Lewis - That said Isaac Burgee - some years ago - made application for the benefit of the Insolvent Laws of this state, and that George S. Dill was duly appointed Trustee for the benefit of the creditors of Isaac Burgee, and bonded, and took upon himself said Trust, and your orators are informed, and so state, that under, and by virtue of the Laws of this state, all the right Title and Interest of said Isaac Burgee, in and to said Real Estate, vests in said George S. Dill, as such Trustee, for the benefit of the creditors of said Isaac Burgee. your orators further states to your Honor - That said Lot of Land - is not susceptible of division, and that said heirs at Law are unable to agree upon a sale thereof, and that it will be, for the benefit & advantage of all the parties interested - that said Real Estate should be sold by a Trustee to be appointed for that purpose, and the money, the proceeds of sale be brought into Court, for distribution - among the said parties, according to their respective interests, and that your orators, and the said heirs at Law do not elect to take said property, under the act to direct descents, as they are unable to do so. In tender - Consideration whereof, and for that your orators are - reminded in the premises by the strict rules of the Common Law & reliable only in a Court of Equity, where matters of this nature are properly Cognizable. To the end therefore - that the said Isaac Burgee, George S. Dill William Martin, and Maria Martin his wife, and Thomas Lewis and Hester his wife, may full true, direct, and perfect answers make, upon - their Corporal Oath to the best of their knowledge, information & belief.