Wm. T. Brown & Others Petition

To the Hon. Madison Nelson, Judge of the Circuit Court for Frederick County sitting as a Court of Equity. The petition of William T. Brown and Theodore D. Irish respectfully shows to your Honor that on the 31st day of July 1856 a bill was filed in your Honorable Court by a certain Grayson Eichelberger and on the 6th day of August ensuing a decree was by your Honor passed therein, for the sale of the property therein specified & known as the Isabella Gas Works and said Grayson Eichelberger was appointed trustee to make said sale, that said Grayson Eichelberger accepted said trust and on the 13th day of September 1856 sold said property at Public Sale to your petitioners for the sum and on the terms set forth in his report of sale filed in said case, that said sale was duly reported to and ratified & confirmed by your Honor, all of which will fully appear by said case being No 2681 on the Equity docket of your Honorable Court, which with all the proceedings therein your petitioners pray may be taken as a part of this petition as if here inserted. Your petitioners further state that they have since sold the said property or their interest therein to Jacob M. Kunkel, Charles E. Trail and William T. Brown, your petitioner, with the view of organizing a Company & that your petitioner Theodore D. Irish has paid no part of the purchase money. Your petitioners therefore prays Your Honor to pass an order authorising and directing said Grayson Eichelberger as the trustee, upon the payment of the whole of said purchase money, to convey said property to said Charles E. Trail, Jacob M. Kunkel and William T. Brown, or to such person, persons or Corporation as they or any two of them may by writing to be endorsed on said deed direct. And your Petitioners will ever pray &c.

G. Eichelberger, Solr. for Petitioners.

Court Order

Grayson Eichelberger vs George I. Fischer & Others } No. 2681 In the Circuit Court for Frederick County Sitting as a Court of Equity.

October Term 1856

The Court having read and duly considered the foregoing petition of William T. Brown and Theodore D. Irish It is thereupon this 3rd day of December 1856 by me Madison Nelson, Judge of the Circuit Court for Frederick County sitting in Equity and by the Authority of said Court ordered, adjudged & decreed that, upon the payment to said Grayson Eichelberger, the Trustee, of the whole amount of the purchase money in said petition & proceedings mentioned, the said Grayson Eichelberger as said Trustee is hereby authorised and directed to convey by a good and valid deed of Conveyance the property specified in said proceedings & his report of sale filed in the above case to Charles E. Trail, Jacob M. Kunkel, William T. Brown, as fully as if they had been the Original purchasers at the sale made by said Trustee, or to such other person or persons or Corporation as they or any two of them by writing to be endorsed on the deed may direct.

M. Nelson

Statement of facts agreed to by the parties

Grayson Eichelberger vs George I. Fischer & Others } In the Circuit Court for Frederick County sitting as a Court of Equity. No 2681

Statement of the facts in relation to the objections filed by Jacob Markell to the Auditors' Report in the above case. Some time after the maturity of the note from George I. Fischer to Corella H. Smith and Philemon Smith described in the Mortgage filed in the above case, as Exhibit No 5, in which Jacob Markell was security the note was by the payees placed in the Farmers and Mechanics Bank of Frederick County for collection, with instructions to have suit brought