

The Complainant Thomas Hammond by his solicitor Wm J Rof comes into Court here and suggests that Adelia Moarratt one of the defendants died in the month of July 1857— since the filing of her answer in which said answer she admits the several facts stated in said Bill and consents to a sale of the real estate therein mentioned The Complainant further suggests that said Adelia Moarratt left the following children as her heirs at law to wit— Charles H Moarratt James Moarratt Mary Rose Moarratt and Laura Virginia Moarratt all of whom are infants and reside in Frederick County Maryland The Complainant further states that prior to the death of said Adelia Moarratt a commission had been issued to take testimony and testimony had been taken under said Commission your Complainant prays that the Court would pass an order that this cause be proceeded in as if said Adelia Moarratt had not died

1841 Chap 22 March session
1842 " 229

Wm J Rof

Solicitor for Complainant

In the Circuit Court for Frederick County in N^o 2719 Equity The foregoing suggestion being read and considered it is this 27th day of August 1857 by the Circuit Court for Frederick County as a Court of Equity ordered that this cause be proceeded notwithstanding the death of Adelia Moarratt since the filing of her said answer

W. Nelson

Maryland S. C. The State of Maryland to Grayson Exchellberger Clerk of the Peace Frederick County Greeting, Be it known that you are appointed a Commissioner to examine and receive in a case depending in the Circuit Court for Frederick County as a Court of Equity between Thomas Hammond Complainant and Carroll Hammond & others defendants You are therefore required having first taken the oath hereunto annexed and also administered the annexed oath to the person whom you shall appoint as clerk to attend the execution of this Commission that at such time and place as to you shall seem convenient you cause to come before you all such evidence as shall be named and produced to you by either the complainant or defendants and that you examine them on their corporal oaths to be by you administered upon the Holy Evangelists of Almighty God touching their knowledge or remembrance of anything that may relate to the cause aforesaid and that you cause notice to be given to the parties or their attorneys of the execution of the Commission before you execute the same having reduced the depositions of the witnesses so taken by you into writing if you send the same with this Commission closed under your hand and seal into the Court as a Court of Equity with all convenient speed, Witness the Honorable Wm Nelson Judge of our said Court the 9th day of February Anno Domini 1857

Edward Turner Clerk

Filed the 24 day of June 1857

Thomas Hammond

Carroll Hammond and Sarah Elizabeth Hammond his wife
Nathan Hammond and Margaret Hammond his wife
Regina Hammond and Nancy J Hammond his wife
John Hammond and Elizabeth Hammond his wife
Alpheus W Hammond Moarratt and Adelia Moarratt his wife
Benjamin Irod and Samuel Irod his wife
Ephraim

unit
John
heirs
County
County
Suggestion
of death
Adelia
Moarratt
all infants
Frederick
County
Maryland
Complainant
prays
that
the
Court
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The
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of
Maryland
to
Grayson
Exchellberger
Clerk
of
the
Peace
Frederick
County
Greeting,
Be
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a
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depending
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the
Circuit
Court
for
Frederick
County
as
a
Court
of
Equity
between
Thomas
Hammond
Complainant
and
Carroll
Hammond
&
others
defendants
You
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1857
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Nathan
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and
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Hammond
his
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Regina
Hammond
and
Nancy
J
Hammond
his
wife
John
Hammond
and
Elizabeth
Hammond
his
wife
Alpheus
W
Hammond
Moarratt
and
Adelia
Moarratt
his
wife
Benjamin
Irod
and
Samuel
Irod
his
wife
Ephraim