

The Petition of Seth H. Nichols respectfully shows that he has purchased of Thomas H. Etchum + wife Washington Burgess + wife + of Woodard + Westenbaker their respective interests in the fund brought into Court + Counts for distribution in the above case as will appear by the assignments herewith filed as Exhibits N^o 1, 2 + 3 to this petition your petitioner prays that an order may be passed directing the auditor in stating the audit in the above case to audit to your petitioner the share of said parties

S. C. Schelberg Solicitor for Petitioner

Ordered by the Court this 3^d day of May 1855 that the auditor in stating the audit in this case audit to Seth H. Nichols as assignee the interests of Thomas H. Etchum + wife Washington Burgess + wife + Woodard + Westenbaker subject to the future order of the Court

M. S. Selwyn

Whereas Woodard Critt by his last will and testament bearing date the 12th day of August A. D. 1830 and duly recorded in the Office of the Register of Wills for Frederick County Maryland amongst other things did give and devise to his wife during her natural life the House with the lots annexed in which he resided at the time of his death and after the death of his said wife the said property to be sold and the proceeds arising from the sale of said property to be divided equally between his five children viz Mary Nichols wife of Peter Nichols + Susanna Westenbaker wife of Mellegy Westenbaker George W. Critt Catharine Camittson widow of John Camittson and Joseph Critt and whereas the said Susanna Westenbaker hath departed this life leaving at her death seven children and whereas Ann M^o Burgess wife of Washington Burgess one of the children of the said Susanna Westenbaker for and in consideration of the sum of \$35 current money to her in hand paid by Seth H. Nichols of Frederick County Maryland at and before the sealing and delivring hereof the receipt whereof is acknowledged hath granted bargained and sold aliened and enfeoffed and by these presents doth give grant bargain and sell alien enfeoff release convey and confirm unto the said Seth H. Nichols his heirs and assigns all their the said Washington Burgess and Ann M^o Burgess his wife judged and are seventh of one fifth part of the aforesaid house with the lots annexed as devised by the said Woodard Critt in his last will and testament and to which she the said Ann M^o Burgess wife of Washington Burgess is entitled in right of her Mother the aforesaid Susanna Westenbaker who was one of the children of the aforesaid Woodard Critt deceased and being the same property which was conveyed to the said Woodard Critt in his life time by Henry Kemp Singleton Duvall and Lewis Birch trustees of George Baer by deed bearing date November 5th A. D. 1825 and recorded in Liber I. S. N^o 33 folio 427 &c and also by deed from Frederick Locher to the said Woodard Critt bearing date the 13th day of March 1827 and recorded in Liber I. S. N^o 27 folio 267 &c one of the land records of said County reference being had to the aforesaid deeds for the notes and bounds courses and distances will more fully appear together with all and singular the buildings improvements ways waters water

Exhibit N^o 1