

No 3099 Equity.

State of Maryland Frederick County, etc.

At a Circuit Court for the fourth judicial Circuit of the State of Maryland sitting as a Court of Equity held at the Court House in Fredericktown in and for the County aforesaid on the 12th day of December 1864.

Present The Hon. Madison Nelson Circuit Judge  
John A. Steiner Esq. Sheriff and  
A. W. S. Leaty Clerk

Among other were the following proceedings to wit

Jacob Williard  
" "  
Missouri Boyer &  
John Boyer

It is remembered that heretofore to wit on the 26th day of May 1863 came the said Jacob Williard in Court here sitting by W. J. Ross Solicitor and filed in Court here the following Bill & Exhibits.

Bill

To the Hon. Madison Nelson Circuit Judge for the third judicial Circuit of the State of Maryland sitting in the Circuit Court for Frederick County as a Court of Equity.

The Bill of Complaint of Jacob Williard of Frederick County State of Maryland respectfully shows to your Honor that Benjamin J. Boyer late of Frederick County State of Maryland dec'd was seized in fee of certain lands and premises situate and lying in Frederick County State of Maryland and particularly described in a deed from said Jacob Williard to said Benjamin J. Boyer dated on the twenty ninth day of March in the year Eighteen hundred and sixty two, as all the following tract or part of a tract or tracts of land called 'The Reunion on Mount Sinaï', 'Sweet Land', 'The Lion Dog', or in whatsoever name the same may be called and containing forty eight and one fourth acres of land more or less, all of which will more fully appear by reference to a certified copy of said deed therewith exhibited marked Exhibit No 1 which together with all other Exhibits your complainant prays may be taken as part of this his bill of Complaint.

Your complainant further charges that the said Benjamin J. Boyer being indebted to your complainant in the sum of one thousand dollars with interest thereon from the first day of April Eighteen hundred and sixty two, did on the fifth day of August in the year Eighteen hundred and sixty two execute his deed of mortgage to your complainant for the said sum of one thousand dollars with interest from the first day of April Eighteen hundred and sixty two due from said Benjamin J. Boyer to your complainant as a deferred payment of land sold and conveyed by said Jacob Williard to said Benjamin J. Boyer, and did convey to your complainant all the lands conveyed to me by the said Jacob Williard containing about forty eight acres and one fourth acre of land more or less, in which said deed of mortgage there is a condition annexed that if the said Benjamin J. Boyer shall pay to the said Jacob Williard the sum of one thousand dollars with legal interest from the first of April Eighteen hundred and sixty two on the first day of April in the year Eighteen hundred and sixty three then this mortgage shall be void all of which will more fully appear by reference to a certified copy of said mortgage herewith exhibited marked Exhibit No 2.

Your complainant further states that no part of the aforesaid sum of money or the interest accruing thereon has been paid to him although the time limited for the payment thereof by the condition aforesaid has passed. But the whole of said sum of money together with the interest from the first day of April in the year Eighteen hundred and sixty two is still due and unpaid.

Your complainant further states that the said Benjamin J. Boyer died intestate sometime

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