

and Joseph H. L. Carty Clerk.

Subpoena

Among other were the following proceedings to wit:
Jacob Sausenbaugh and others
"
Ann Eve Sausenbaugh and others
It is remembered that heretofore to wit on the 7 day of November 1863 came the said Complainants in Court here sitting by Frederick I Nelson Solicitor and filed in Court the following Bill & Petition

Bill

To the Hon. Madison Nelson Judge of the Circuit Court for Frederick County sitting as a Court of Equity.

Shumbly Complainings sheweth unto your Honor your Orators and Petitioners Jacob Sausenbaugh of the State of Ohio, Catharine Smith, intermarried with Christian Smith both of the State of Indiana, Simon Peter Sausenbaugh John Wesley Sausenbaugh, Joseph Sausenbaugh of the County of Frederick, State of Maryland and George Adam Sausenbaugh of the State of Indiana and Elizabeth Sausenbaugh, Malinda Sausenbaugh and Barbara Ellen Sausenbaugh of the County of Frederick and State of Maryland that heretofore a certain Mary Magdalena Sausenbaugh late of Frederick County dec'd, was in her lifetime seized and possessed of certain real estate lying and being in said County, and being so thereof seized and possessed sometime in the year departed this life intestate leaving the following heirs at law to wit: Jacob Sausenbaugh, Catharine Smith intermarried with Christian Smith, Joseph Sausenbaugh and John Sausenbaugh, that John Sausenbaugh has since died leaving the following children to wit: Elizabeth Sausenbaugh Simon Peter, George Adam, Malinda, Barbara Ellen, John Wesley, Ann Eve, Lavitta, James Calvin, Catharine and Benjamin Franklin Sausenbaugh, that Ann Eve, Lavitta, James Calvin, Catharine, Benjamin Franklin are infants under the age of twenty one years, and your Orators further charge that the said real Estate is not susceptible of a partition amongst the parties aforesaid with advantage to said parties and that your Orators are entitled to have the same sold and the proceeds distributed amongst the parties in proportion to their respective interests.

To the End therefore that the said Ann Eve, Lavitta, James, Calvin, Catharine and Benjamin Franklin Sausenbaugh, may answer the premises and that a decree may be passed for the sale of said real estate under the direction of this Court and the proceeds thereof distributed amongst the said parties in proportion to their respective interests and that your Orators may have such other and further relief as their case may require, May it please your Honor to grant unto your Orators the writ of Subpoena directing the said defendants to appear in this Court at some certain day to be therein named to answer the premises and abide by and perform such decree as may be passed therein, as in duty bound &c.

Fred. I. Nelson

Solr. for Complainants

Subpoena

Maryland 1864
The State of Maryland, To Ann Eve Sausenbaugh of Frederick County, Orating,
You are hereby commanded that all excuses set apart, you personally appear before the Judge of the Circuit Court for Frederick County, sitting as a Court of Equity, to be held at the Court House in Fredericktown, in and for said County, on the second Monday of February next to answer the bill and complaint of Jacob Sausenbaugh et al against you in our said Court, Exhibited, and do forth. - Hereof fail you not, as you will answer the contrary at your peril,
Witness the Honorable Madison Nelson, Judge of our said Court, the 11 day of January 1864,
Issued the first day of February 1864. - To the Sheriff of Frederick County, -

(Nelson)

J. H. L. Carty Clerk

Endorsed 'Nw Cop'

J. A. Stone Sheriff

Order of Publication