

Ordered by the Court this 18th day of April A.D. 1866, that the foregoing report of the Auditor in this case, be and the same is hereby finally ratified and confirmed; no cause to the contrary having been shown although notice appears to have been given according to the foregoing order and the Trustees are hereby directed to pay out the funds as audited.

W. Nelson

No 232 Equity

State of Maryland Frederick County Set

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 25th day of April 1866.

Just the Hon. Madison Nelson Circuit Judge,
Wm J. Haller Esq. Sheriff and
Edw L. Carty Clerk,

Among other were the following proceedings to-wit:

David W. Leather Esq. & Lewis A. Harding Esq.
It is remembered that heretofore to-wit on the 25th day of July 1865 came the said Complainants in Court here sitting by Counsel and several Solicitors and filed in Court here the following Bill and Exhibits.

The Hon. Madison Nelson Judge of the Circuit Court for Frederick County sitting as a Court of Equity. Humbly complaining sheweth unto your Honor, your Orators and Petitioners David W. Leather and Margaret his wife, James L. Leather and Dianella his wife Greenberry Waters and Margaret Jane Waters his wife, William Haugh and Henrietta J. Haugh his wife, Luther John Leather and Mary his wife, Edward E. Leather and Emily C. Leather that John Leather late of said County departed this life sometime during the month of April 1866, leaving the following named children his only heirs at law, viz: Ann Rebecca, the wife of Lewis A. Harding, David W. Leather, James L. Leather, Margaret Jane who married Greenberry Waters, Henrietta J. who married William Haugh, Luther John Leather, Edward E. Leather and Emily C. Leather, that the said John Leather died intestate leaving a large and valuable real estate situate in said County, and for a full description of said real Estate your Honor is referred to a deed of conveyance thereof to the said intestate here exhibited as a part of this bill marked Exhibit A. which together with all other exhibits your Orators and Petitioners pray may be taken and considered as a part of this bill. Your Orators and Petitioners state that said real estate will not admit of a division among all the said heirs at law and tenants in common without injury and loss to them, and that it would be to the advantage and interest of the said tenants in common of said real estate to have it held by a trustee to be appointed by this Honorable Court. Your Orators and Petitioners further state that the said John Leather in his lifetime, executed two deeds of mortgage of said real estate to one W. D. Adamson of said County, to secure the sums of money therein specified, true and certified copies of said two mortgage deeds are here exhibited as a part of this bill marked A. B. and that said sums of money are due to said mortgagees. Your Honor is further informed that the said tenants in common cannot agree upon the terms of sale of said real estate, but are satisfied that a decree should be passed for a sale by a trustee for. In tender consideration whereof and for that your Orators and Petitioners are remediless in the premises by the strict rules of the Common Law, and relievably only in a Court of Equity, where matters of this nature are properly cognizable. At the end therefore that the said Lewis A. Harding and

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Judge of
the above
is referred to
of the
County,
in this Mary
to prior to
Equity

Bill