the order nisi heretofore passed appears to have been duly published according to law —

M Nelson

Printers Cert.

Frederick City Maryland January 19th 1867 —

It is hereby certified that the annexed notice in No 3267 Equity was published in the Maryland Union, a newspaper printed in Frederick City, once in each of three successive weeks prior to the 19th day of January 1867.

Charles Cole

Petition

To the Honorable M Nelson Judge of the Circuit Court for Frederick County sitting in Equity —

Your Petitioner Simon C Summons respectfully represents to your Honor that on the 11th day of November AD 1865 Joshua Dill filed his certain bill of Complaint in your Hon.r Court against Ann M C Hindfelt, and others, said Cause being docketed on the Equity side of said Court and known as No 3267 Equity. That said Bill of Complaint, amongst other things prayed for the sale of certain real estate therein described to pay purchase money thereof, that on the 15th day of November AD 1866 a decree was passed by your Honor directing said real Estate to be sold, and appointing Frederick J Nelson Trustee to sell the same, That on the 24th day of December 1866, said Trustee filed his report in your Hon.r Court asking for the sale of said real estate, at and for the sum of $495 00; that on the 19th day of January 1867 said report was finally ratified and confirmed, and the Cause referred to the Auditor to state an account therein, That on the 23rd day of January 1867 the Auditor filed his report in said Court whereby it appears that after paying Costs, Commissions Expenses and Amt due of said purchase money there remained a balance of fifty three dollars and thirty three cents ($53,33) all of which will more particularly and fully appear, reference being had to the proceedings in said Cause in your Hon.r Court. — Your Petitioner further states that by virtue of two Judgements at Law herewith filed and marked respectively Exhibit "A" and Exhibit "B" which your petitioner prays may be taken as part of this petition, your Petitioner is entitled to a lien on said real estate to the amount of said Judgments, and is entitled to have the same satisfied out of the proceeds of the sale thereof —

Your Petitioner further shows that the said report of said Auditor has not yet been finally ratified and confirmed. Your petitioner therefore prays your Honor to pass an order herein referring the proceedings in said Cause to the Auditor with instructions to file an amended report in said cause, allowing the Claims of Your Petitioner — As in duty bound your Petitioner will ever pray &c.

Frederick J Nelson
Solicitor for Petitioner

Ordered by the Court this 25th day of January 1867 that the proceedings in the Cause referred to in the above Petition be, and they are hereby referred to the Auditor, And the said Auditor is hereby instructed to allow the Claims of said Petitioner out of any surplus fund remaining in the hands of the Trustee after the payment of all Costs commissions and expenses and Claims therein, and that said Petitioner pay the expenses of such amended audit, and that said amended audit be submitted to this Court for further order. —

M Nelson

Simon C Summons
vs
Conrad Abb

Exhibit "A".

State of Maryland Frederick County, to wit

You are hereby commanded to summon Conrad Abb to be and appear before me the subscriber, a Justice of the Peace for said County, to answer Simon C Summons in a plea of debt and make return hereon, on the 20th day of October 1861 and have you then and there this precept. Given under my hand and seal this 15th day of October 1861 —

H Mahoney (Seal)

15c Stamp

To Garman Butler, Constable.

Endorsed Summoned —

State of Maryland, Frederick County to wit

This 24th day of January 1867, in the year of our Lord, eighteen hundred and sixty seven, before me the subscriber, one of the Justices of the Peace in and for the said County,