

house, lot, & premises, to wit on the 17<sup>th</sup> day of August 1864, to a certain John H. P. Rudy - that the said sale was duly reported to and ratified by the Court aforesaid, and that the said purchaser has fully complied with the terms of the said sale, but that Levi Barrick Jr and Elizabeth, two of the defendants in the said Equity cause No. 3293, are in possession of said house and lot and premises, and refuse to give possession thereof to the said John H. P. Rudy the purchaser as aforesaid, although repeatedly requested so to do since the ratification of said sale, and full compliance with the terms thereof, by the said purchaser - And the said Levi Barrick Sr. and Elizabeth Barrick, not being in possession of the house, lot and premises aforesaid, and refusing to give possession thereof. It was therefore ordered by the Court aforesaid that the writ of habere facias possessionem be issued to the Sheriff of this County thereby commanding him to deliver to said purchaser John H. P. Rudy, immediate possession of the house, lot, and premises purchased by him of the said Peter Shaffer Jr. the said Trustee, and described in the said cause in Equity No. 3293 - Know you therefore, to complete and carry into full effect, the Decree of the Court aforesaid, in the cause aforesaid, the said Court doth give you full power and authority to the house, lot and premises aforesaid, and that you approach, and enter the same and from thence the said Levi Barrick Sr and Elizabeth Barrick, as well as all, and every other person or persons, in possession of the premises being, against the form and effect of the Decree aforesaid, you remove, and the said John H. P. Rudy, in full peace and quiet possession of all and singular the said premises, immediately, and from time to time, as often as necessary, you put and place And that the said John H. P. Rudy so being, put and placed in possession, you protect and keep quiet, And therefore you are hereby commanded that immediately after the receipt of this writ, to the house, lot and premises aforesaid you approach and enter, and the said Levi Barrick Sr. and Elizabeth Barrick, as well as all and every other person or persons, in possession of the house, lot and premises being, against the form and effect of the Decree aforesaid, from the possession thereof, you remove, and to the said John H. P. Rudy the full peaceable and quiet possession of all and singular the premises, you deliver, put and place, and so from time to time, as often as necessary, And the said John H. P. Rudy, so being put in possession, you preserve keep and continue - and cause to be preserved, kept and continued according to the true intent of the Decree aforesaid, and of this writ. ~ Witness the Honorable Madison Nelson Chief Judge of our said Court this 20<sup>th</sup> day of October A.D. 1864.

Issued this 30<sup>th</sup> day of November A.D. 1864. ~

James S. Brier Clerk of the Circuit Court for Frederick County

H. C.

Which is thus Endorsed

Executed and the Plaintiff in possession of the premises ~

Nathan O. Neighbours Sheriff

Bill

Samuel W. Plummer & Mary C. Plummer

Lyle Griffith & Louisa his wife & Anna Mary Griffith

No. 3317 Equity In the Circuit Court for Frederick County sitting as a Court of Equity. ~ Filed Oct 4<sup>th</sup> 1866 in the words and figures following. ~

50<sup>th</sup> Nov 1866

To the Honorable Madison Nelson Judge of the Circuit Court for Frederick County sitting as a Court of Equity ~

The Bill of Complaint of Samuel W. Plummer and Mary C. Plummer his wife of said County respectfully sheweth unto your Honor that a certain Philemon Griffith in his life time made and executed his last Will and Testament in due form of Law to