

"Maryland Union": a newspaper printed in Frederick City, read in each of three successive weeks prior to the 3<sup>rd</sup> day of December 1864.

Charles Cook

Michael W Post next friend of Eli J Hamilton Etal  
Eli Jacob Hamilton Etal

No 3144 Equity  
In the Circuit Court for Frederick County as a Court of Equity.  
October Term 1864.

Exhibit No. 2

Ordered by the Court this 10<sup>th</sup> day of December 1864, that the report of sales made by the Trustees in the cause heretofore is hereby finally ratified and confirmed, no cause to the contrary having been shown, although the order here has been duly published. The Trustees are allowed the usual commission, also eleven dollars and fifty cents for printing and Wm B Pabber for auctioneer's fee. It is further ordered that this cause be referred to the Auditor to state an account between the Trustees and the parties entitled to the funds.

W Nelson

Petition of James H. Habitzel

In the Hon. Madison Nelson Circuit Judge of the fourth Judicial Circuit of the State of Maryland sitting in the Circuit Court for Frederick County as a Court of Equity.

The petition of James H Habitzel of the City of Baltimore State of Maryland respectfully shows to your Honor that heretofore a bill was filed in the Circuit Court for Frederick County in Equity known in said Court as No 3144 Equity by Michael W Post next friend of Eli Jacob Hamilton and others for the purpose of procuring a decree for the sale of the real estate whereof a certain James W Hamilton died, seized and possessed, that on the thirty first day of March 1864 a decree in said cause was passed and Samuel B Preston and Michael W Post of Frederick County appointed Trustees to make said sale, that said sale was made and duly reported to your Honorable Court all of which will appear by reference to said bill.

Your petitioner further states that the said James W Hamilton died intestate in the month of September Eighteen hundred and sixty three leaving a widow named Susan Hamilton and the following children his heirs at law viz: Eli Jacob Hamilton, Julia Maria Hamilton, John Sam Hamilton and Georgianna Hamilton all of whom are infants under the age of twenty one years.

Your petitioner further states that the said James W Hamilton died intestate as aforesaid, and that letters of administration on his personal estate were issued to Samuel B Preston and Michael W Post by the Orphans Court for Frederick County all of which will appear by the copy of letters of Exemplification herewith exhibited marked Exhibit No 1.

Your petitioner further states that the said James W Hamilton was indebted to your petitioner by his promissory note dated September the second Eighteen hundred and sixty three payable one day after date in the sum of three hundred and nine dollars and eighty three cents and that said Hamilton was indebted to various other persons to a very large amount of money, all of which will appear by reference to a copy of Liquidation made by the Orphans Court of Frederick County herewith exhibited marked Exhibit No 2.

Your petitioner further states that the personal estate of said intestate is totally insufficient to pay his debts, and your petitioner therefore prays your Honor to pass an order directing that the balance due on the claim of your petitioner together with the claims of all other creditors who may come in and file their claims properly authenticated may be allowed out of the proceeds of the sale of the real estate of the said James W Hamilton now in the hands of the Trustees and under the direction of your Honorable Court. And your petitioner will ever pray &c.

Wm J & Chas. C. Ross  
Attys for Petitioner

Exhibit No. 1

State of Maryland Frederick County Jct  
J. P. McLean, Register of Wills for Frederick County, do hereby certify and attest, that on the 21st day of October 1864, Letters of Administration were granted by the Orphans Court for