

Benjamin Moffitt Jr and wife
Benjamin J. Shouffer and

No 252 Equity, ~

In the Circuit Court for Frederick County sitting as
a Court of Equity, ~ February Term 1866. ~

Ordered by the Court this 11th day of June 1866 that the
within report of the Auditor be and the same is hereby finally ratified and confirmed,
no cause having been shown to the contrary through notice has been duly given and the
trustee is hereby ordered to pay out the funds accordingly. ~

M. Nelson

No 245 Equity, ~

State of Maryland Frederick County yet ~

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 Frederick town in and for the County aforesaid
on the 31st day of May 1866. ~ Just The Hon. Madison Nelson Circuit Judge,

William R. Patten Esq. Sheriff and
Jesse L. Early Clerk, ~

Among other were the following proceedings took. ~

Thomas Smith and
Francis Smith his wife
James Lucey and

It is remembered that Justice took on the 10th day of
September 1865, came the said complainant in Court here
sitting by Wm J. and Charles W. Poo solicitors and filed
in Court here the following ~~Bill~~ Exhibits ~

Bill

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 bill of complaint of Thomas Smith and Francis Smith his wife of the
State of Maryland respectfully shows to your Honor ~ that a certain James Caldwell of
Frederick County dec'd by his last will and testament executed on the twenty third day of February
Eighteen hundred and twenty eight " Gave and bequeathed unto Alexander Caldwell, John
Caldwell, Elizabeth Caldwell and Mary Caldwell my natural brothers and sisters his Plan-
tation whom he then resided known by the name of "The Recovery on Dow Head" containing
one hundred and thirty two and one fourth acres of land to have and to hold the same jointly
during their natural lives and after the death of the above named Alexander Caldwell, John
Caldwell, Elizabeth Caldwell and Mary Caldwell, then the above mentioned farm is and shall
be to all intents and purposes the right and estate of David Caldwell and Christina Caldwell
children of William Caldwell and their heirs forever ~ all of which will fully appear by
reference to a certified copy of the will of James Caldwell herewith Exhibited marked Exhibit
No 1. which together with all other exhibits hereinafter produced your Complainants pray may
be taken as part of this their bill of complaint, ~

Your Complainants further state that the said Alexander Caldwell, John Caldwell, Elizabeth
Caldwell and Mary Caldwell the parties entitled to life estate in said farm under the provisions
of the will aforesaid, are all dead and that according to said will the estate vested in the said
David Caldwell and Christina Caldwell, ~

Your Complainants further state that on the twelfth day of April in the year eighteen hundred
and thirty four the said David Caldwell by deed dated on the day aforesaid conveyed
in severalty all his right, title and interest in and to said estate to the said Christina Cal-
well - all of which will appear by reference to a certified copy of said deed herewith Exhib-
ited marked Exhibit No 2. ~

Your Complainants further state that afterwards the said Christina Caldwell married James

Exhibit No 1