

Examiner Buildings, Frederick Md, August 30th 1866. ~

This is to Certify that the annexed order nisi in No 3157 Equity was published in the Examiner, printed in Fredericktown, once a week for two successive weeks prior to the said 30th day of August 1866. ~

Jonathan Ametjahn

No 3157 Equity.

Reeper, Smith & Co.

J. Butler & Eliza Butler

In the Circuit Court for Frederick County sitting in Equity. July Term 1866. ~

Ordered by the Court this 30th day of August 1866 that the Auditor's report in this case be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown though notice has been duly given and the trustee is hereby ordered to pay out the funds accordingly. ~

W. Nelson

No 3227 Equity. ~

John Gardner

In the Circuit Court for Frederick County sitting as a Court of Equity. ~ Filed June 21st 1865

Elizabeth A. Benton

vs The Hon. Maxson Nelson Circuit Judge for 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 John Gardner of Frederick County State of Maryland, who sues in behalf of himself and all other creditors of Samuel J. Benton late of said County and State dec'd who may hereafter come in & contribute to the expenses of this suit shows ~ that the said Samuel J. Benton in his lifetime by his four several notes each for the sum of Eighty nine dollars & twenty two cents all bearing interest from their respective dates. one dated October twenty fourth, one dated October twenty seventh and the one dated October twenty eighth and the last dated on the twenty ninth day of October in the year Eighteen hundred and sixty two, and now due, was indebted to the Complainant and which said notes are now due and owing, as well appear by the said notes herewith exhibited marked Exhibit No 1, No 2, No 3 and No 4, which your Complainant prays together with all Exhibits hereinafter produced may be taken and considered as part of this Bill of Complaint. ~

Your Complainant further states that the said Samuel J. Benton died intestate in the month of April in the year Eighteen hundred and sixty five, seized and possessed in fee of all those parts of tracts of land situate partly in Montgomery and Frederick County State of Maryland called "Redmount" and "The Resurvey on Williams' Place" described in the paper herewith exhibited marked Exhibit No 5, and also of all that part of a tract of land called "Blackland" or "Backland" situate in Frederick County State of Maryland described in the deed from this I Deceased unto said Samuel J. Benton, a copy of which deed is herewith exhibited marked Exhibit No 6, and also of all those pieces of tracts of land situate in the County and State last aforesaid mentioned called "Maysman's Retreat" and "Shoensburg" described in the deed from Lewis M. Hinderoff and Henry M. Hinderoff Trustees to said Samuel J. Benton, a copy of which deed is herewith exhibited marked Exhibit No 7. ~

Your Complainant further states that the said Samuel J. Benton at the time of his death left a widow Elizabeth A. Benton and the following children his heirs at law to whom said lands descended, all of whom reside in Frederick County State of Maryland, to wit; Henrietta J. Benton, Rachel A. Benton, Howard J. Benton all of full age and Samuel Morse Benton, Robert A. Benton and Morgan J. Benton all infants under the age of twenty one years. ~

Your Complainant further states that letters of administration on the personal estate of said Samuel J. Benton were granted by the Orphans Court of Frederick County to Elizabeth A. Benton who has filed her approved bond and has duly entered upon her duties as such administratrix as will appear by a certified copy of letters of Confirmation thereof, herewith exhibited

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