

William Delaplaine & others  
 Delaplaine & others  
 vs  
 Baltzer Mort wife & others

} N<sup>o</sup> 2742 Equity In the  
 Circuit Court for Frederick  
 County sitting as a Court  
 of Equity July term 1858

In the Hon<sup>ble</sup> Mr Nelson Judge of the Circuit Court for  
 Frederick County sitting as a Court of Equity.  
 to the My Petition of Mary Anders of said County respectfully  
 Ratification sheweth that he is the owner of all the parts the real  
 of the And personal estate specified in the proceedings  
 Trust in this case devised and bequeathed to Sophia Engle  
 report of by the testament and last will of the said William  
 Sale Delaplaine dec<sup>d</sup> which real and personal property as  
 appraised devised and bequeathed to the said Sophia  
 has been in due form of Law conveyed to your  
 petitioner by the said Sophia Engle and her  
 present husband John Engle but your Petitioner  
 was not made a party to the proceedings in this  
 case before the sale made and reported by the said  
 Trustee Your Petitioner therefore prays that except  
 to the final ratification of the sale made & reported  
 in this case by the Trustee William Delaplaine  
 1<sup>st</sup> For that the said sale was not fairly made by the  
 trustee that he sold the real property to one of his brothers  
 for greatly less than its actual value after having  
 positively declared that said property should not be  
 sold for a less sum than twenty dollars per acre and  
 for that the said trustee did not in making said  
 sale act justly and fairly towards all the parties  
 interested in the property but he positively refused to see  
 said property in the manner which he was required  
 as to enable a fair and full price to be obtained  
 for it for the purpose of benefiting himself and his  
 brother the purchaser all which doings and actings  
 of the said Trustee in making said sale are  
 unjust-unfair and greatly prejudicial to your  
 petitioner and other interested 2<sup>d</sup> For that the  
 said sale is in other respects and particulars  
 unjust-unfair and illegal and ought not to be rat-  
 ified and confirmed all which are respectfully  
 submitted to your Honor to be required of in such  
 manner as to your Honor shall seem meet &c

Do M Palmer Sol<sup>r</sup> for  
 Petitioner & Exceptor

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