law and only relievable in a Court of Equity where matters of such nature are properly Cognizable and to the end that some suitable person may be appointed in the place of John Phillips to execute the trusts of the will of said Nicholas Hoy and that the said Home farm may be sold and the proceeds distributed according to the will of the said Nicholas Hoy and that your Petitioners may have all such other relief in the premises as the nature and Equity of their Case may require may it please your Honor to pass a decree appointing some suitable person to execute the trusts of the will of said Nicholas Hoy in the place of John Phillips the late acting Executor and your Petitioners will ever pray &c

Wm L Rose
Solicitor for Petitioners

To the Hon M Nelson Judge of the Circuit Court for Frederick County sitting in Equity

The Petition of Benjamin Lamasay respectfully shews that heretofore he was appointed by this Court Trustee to carry out the trusts created by the will of Nicholas Hoy so far as the same concerned Noah Hoy as will appear by a Copy of said Decree passed in No 2798 Eq & herewith filed as Exhibit No 1 that he as such Trustee is entitled to the distributive share of Noah Hoy from the real estate sold by John D Clemson Trustee in No 2769 Equity & he prays that the same may be audited and paid to him as such Trustee &c &c

Bradley T Johnson
Solr for Compt

Ordered by the Court this 17th May 1869 that the distributive share of Noah Hoy in the real Estate sold as above stated be audited & paid to Noah Hoy

M. Nelson

This Indenture made this 17th day of January in the year of our Lord one thousand eight hundred and fourteen between Dennis D Howard of Frederick County & State of Maryland of the one part & Nicholas Hoy of the same County and State aforesaid of the other part Witnesseth that the said Dennis D Howard for and in Consideration of the sum of $150 Current money to him in hand paid by the said Nicholas Hoy at or before the