

states that he sold a mountain Lot to Daniel Adelpinger for forty two dollars and seventy five cents payable in six months from the 14th day of October 1861 and bearing interest from that date. Your Petitioner further states that he sold at the same time personal estate to the amount of three hundred and twenty seven dollars and fifty three cents part of which has been paid in Cash the residue in notes which are not yet due.

Your Petitioner further states that he has been unable to sell the residue of the real estate conveyed by the said deed. Your Petitioner further states that he has paid taxes and expenses connected with the execution of his trust to the amount of forty three dollars and fifty two cents as will appear by the vouchers herewith exhibited with his statement marked Exhibit No 2. Your Petitioner states that the conditions of said Deed giving Mr. Nutty an numerous spare having him that he does not know all the creditors nor their relative priority of them that he is unable to proceed with safety in the execution of his trust without the aid and protection of this Honorable Court and that he solicits the protection of the Court in the execution of his trust and bring the funds and notes received and taken by him as Trustee into the Court to be distributed under its order and he prays the Court to pass an order referring this Cause and the vouchers filed herewith to the auditor of this Court to state an account between the trustee your Petitioner and the parties entitled to the fund and to grant to your petitioner all such other and further relief in the premises as his Case may require and your Petitioner prays for

J. P. Solicitor for Petitioner.

In the matter of the }
Petition of J. P. Lanana }
Trustee of Daniel McKelvey }
} No 3018 Equity in the Circuit Court
} for Frederick County in Equity

The Petition and vouchers and exhibits filed in this Cause being read and considered and it appearing to the Court that the Petitioner is entitled to the aid and protection of this Court in the execution of his trust and to the relief prayed for. It is therefore this 17th day of January 1862 by Magistrate Nelson Circuit Judge for the Third Judicial Circuit of the State of Maryland and by the authority of the Circuit Court for Frederick County as a Court of Equity ordered adjourned and decreed that this Cause be referred to the auditor to state an account between the Trustee and the parties entitled to the fund the auditor first giving the usage notice by publication in one of the newspapers published in Frederick County to give persons creditors of Daniel McKelvey prior to the 4th day of September 1862 to file their claims properly authenticated with the Clerk of this Court on or before a certain day to be limited in said notice otherwise they may