

contrary at your peril. Witness the Honorable Madison Nelson Judge of our said Court the 21st day of October 1861. Issued the 6th day of December 1861.

To the Sheriff of Frederick County
Mr. Sherry, B. G. Fitzhugh Clerk

Maryland It

The State of Maryland. To John Flanagan, Margaret Flanagan, John Cates and Mary Cates his wife, of Frederick County, Goetting. You are hereby commanded that all excuses set apart, you personally appear before the Judge of the District Court for Frederick County sitting as a Court of Equity, to be held at the Court House in Frederick town in and for said County, on the Second Monday of February next to answer the amended bill and complaint of Thomas Flanagan against you in our said Court exhibited and so forth. Hereof fail you not as you will answer the contrary at your peril. Witness the Honorable Madison Nelson Judge of our said Court the 6th day of January 1862. Issued the 25th day of January 1862.

To the Sheriff Frederick County
Mr. Sherry, B. G. Fitzhugh Clerk

Amended Bill

To the Honorable Madison Nelson District Judge of the Third Judicial District of the State of Maryland, sitting in the District Court for Frederick County in Equity.

The Amended bill of complaint of Thomas Flanagan of Frederick County, humbly shews to your Honor, that heretofore to wit on the 6th day of December 1861, he filed his bill of complaint in this Court against John Flanagan, Margaret Flanagan and John Cates and Mary Cates wife of said John Cates, praying among other things the appointment of a new Trustee in the place of Patrick O'Neil deceased, who had been trustee under the deed of trust in the said bill of complaint mentioned and praying also the sale and distribution of the proceeds of sale of the said real estate in said deed mentioned, as in said bill of complaint is particularly set forth, and to which bill of complaint two of said defendants to wit John Flanagan and Margaret Flanagan have filed their joint and several answers, but the said Mary Cates and John Cates have not yet answered the same, nor appeared theret in compliance with the subpoena of your Honor.

And your Honor is advised that the heir at law of the said Patrick O'Neil deceased is a proper party defendant in this case, and he was charged by way of amendment to his original bill of complaint that the said Patrick O'Neil, trustee, died as aforesaid in said bill charged leaving a son his heir at law a certain Howard O'Neil now a resident of Baltimore City in the State of Maryland; and your Honor further charges by way of further amendment to his said original bill of complaint that the twentieth day of June Eighteen hundred and thirty six your Honor made and executed a deed of mortgage to the said Patrick O'Neil since deceased and a certain John McDermott issue of Frederick County to secure the said Patrick O'Neil and Mr. Dermott as his securities