

April 1850, whereby the late John G. Chapman deceased, one of the creditors of the said Company, was appointed the Trustee for the purposes in said deed of Trust specified. ~

Your Petitioners show unto your Honor, that the said John G. Chapman, the Trustee named in deed of Trust, is dead, and that he died before having executed the trust reposed in him by said deed, and that your Petitioners were by the Orphan's Court of Charles County in the State of Maryland, on the 15th day of April 1857, appointed Administrators of the goods and chattels &c which were of the said John G. Chapman deceased, a true and certified Copy of said Letters of Administration are here exhibited as a part of this Petition, marked Exhibit "A" to said Petition. ~

Your Petitioners show unto your Honor that the said John G. Chapman the Trustee, in his life time, was about to execute the trust reposed in him by said deed, when on the 27th day of October 1855 Caspar W. Weaver filed his Bill of Complaint in your Honorable Court, as a Court of Equity, against the said John G. Chapman, the said Trustee, now deceased, who died before he had filed his answer to said Bill; and that the said Complainant prayed an injunction to enjoin the said John G. Chapman from the execution of said Trust, which injunction was granted accordingly by your Honor, on the 26th day of October 1855, which fully appears from the said Case in Equity, which Bill, Exhibits and all other proceedings in said Case, are here exhibited as part of this Petition, and are to be considered as a part of this Petition as if inserted in words and figures. ~

Your Petitioners further state, that they, as the Administrators of the said John G. Chapman deceased, are creditors of the said "Newerton Manufacturing Company" and deeply interested in the execution of said trust, and they are advised that that is necessary, that a new trustee should be appointed in the place and stead of the said John G. Chapman, deceased, before the said trust can be executed, and before any further proceedings can be had in your Honorable Court in the case of Caspar W. Weaver against the said John G. Chapman deceased &c. That the creditors of the said Company who are provided for and secured by said deed of Trust are entitled to have a new trustee appointed in the place and stead of the said John G. Chapman to execute said trust, and to appear and be made a party Defendant to said Equity case in the place and stead of the said John G. Chapman the deceased Defendant &c. ~

To the end therefore, the said Caspar W. Weaver and the "Newerton Manufacturing Company" may answer the several matters and things, in this Petition herein before set forth, as if the same were herein again repeated &c. ~

May it please your Honor to order and judge and decree that some suitable and proper person or persons be appointed trustee or Trustees to execute said trust, and to appear and defend said Bill of injunction in the place and stead of the said John G. Chapman deceased, and to do all other acts in relation to the execution of said trust, as the said Original Trustee had the power and authority to do, and may it please your Honor to extend unto your Petitioners all other and further relief in the premises as the nature of the case may require, and as to your Honor shall deem meet. ~

May it please your Honor to grant unto your Petitioners the State of Maryland's Writ of Subpoena, to be directed to the said Caspar W. Weaver and the "Newerton Manufacturing Company" commanding them to be and appear in this Court at some certain day to be therein appointed, to answer the premises and abide by and perform such decree as may be passed therein &c. ~ And as in duty bound your Petitioners well ever pray. ~

Jos. M. Palmer
SOL for Petitioners

Filed Aug 27th 1858