

May it please your Honors to grant to your Complainants the writ of Subpoena against Fanny Getzdauner and William & Baker Trustees of Adam Schaeffer and wife of Frederick County, Commanding them and each of them to be and appear in this Court, on some certain day to be therein named the infant Fanny Getzdauner by her Guardian and the said William & Baker in person or by Attorney to answer the premises, and abide by and perform such decree, as may be passed by the Court therein - And your Complainants will ever pray &c.

Wm. S. Ross

Chas. W. Ross

Filed Sept. 28<sup>th</sup> 1849

Solicitors for Complainants

Est. No. 1

This Indenture made this 18<sup>th</sup> day of July in the year of our Lord 1848, between Robert Boone Trustee of Harriet Lee, the wife of John Lee of Frederick County in the State of Maryland, of the one part. And Adam Schaeffer of the same County and State of the other part; Witnesseth, Whereas, the said John Lee and Harriet Lee his wife, by their Deed of Trust duly executed and acknowledged on the 28<sup>th</sup> day of October in the year 1848 and recorded in Liber H.S. No. 19 folios 90, 91 &c. One of the Land Records of Frederick County aforesaid, did convey certain property or real Estate therein named to a certain Wm. M. Beall for the purposes and trusts therein specified and set forth as by reference to the same will more fully appear. Which said Trust the said Beall accepted and in part executed by, amongst other things selling to the said Schaeffer the land therein after described, which is part of said real Estate so conveyed in trust to said Beall as aforesaid and received from said Schaeffer a part of the purchase money for the same, and soon after died without having completed his said trust. And whereas the said Robert Boone was after the death of said Beall: to wit: On the 1<sup>st</sup> day of September 1844 appointed the Trustees of said Harriet Lee, by her deed of Appointment, bearing date the day and year last aforesaid and duly recorded in Liber W.B.P. No. 6 folios 93 &c. One of the Land Records of Frederick County aforesaid as by reference to the same, may more fully appear. And which said Trust the said Boone hath accepted. And when and where at law of said Beall have conveyed to said Boone, as trustee as aforesaid, all the legal title to said land, which has descended to and rested in them as such for the purposes of said trust, as by reference to their said deed duly made on the 28<sup>th</sup> day of September 1844, and recorded in Liber W.B.P. No. 6, folios 361 &c. will more fully appear, whereby the said Boone is fully empowered to convey said land, so purchased by said Schaeffer to him in fee, on payment of the purchase money, or on the same being properly secured to be paid by said Schaeffer; And whereas the said Boone held two single Bills of the said Schaeffer signed by him, with a certain John H. Remm and Chas. N. Schaeffer as his securities, one for the payment to the said Boone on the 20<sup>th</sup> day of March 1849, for the sum of \$939.85, and the other for the payment of \$939.84 with the same securities 20<sup>th</sup> day of March 1850 the said single bills being for the balance of the purchase money due by said Schaeffer for said land, and which said notes were on the 14<sup>th</sup> day of January 1848, assigned by said Boone to George Schley, in whose possession said single Bills now are, it being understood at the time of said Assignment, that said Boone was not to convey the legal title of said land to said Schaeffer until he had paid or properly secured to be paid, the said single bills to said Assignee. And whereas the said Schley and the said Schaeffer have agreed that the said Schley shall receive a Mortgage on said land from said Schaeffer