

amended Bill of Complaint subject to the aforesaid Mortgage but that he is entitled to the whole 100 acres of land, sold to Parus W Barnes by Henry Stier Executor of Peter Cuttail subject to the said Mortgage the said 100 acres of land sold to the said Barnes by the said Peter Cuttail being the same afterwards sold to the Defendant by the said Parus W Barnes and is not seized of the whole 150 acres in fee as the tenant in common with the said Complainant or anybody else

And these Respondents further answering say that the said conveyance of the said 100 acres of land from the said Henry Stier to the said Parus W Barnes was made and executed on the 5th day of July in the year 1840 and that the said Barnes occupied the same up to the 30th day of October in the year 1860 when he conveyed the same to the Defendant John W Fogle, that during the occupancy of the said Barnes covering a period of twenty six years, the said Barnes made many great lasting and costly improvements upon the said 100 acres of land and that this Respondent not only bought the said 100 acres of land in the said improved condition thereof paying therefor a large amount of money but that he has also during his occupation of the same for three years also made costly improvements upon the same. And your Respondents further say that since the death of the said Peter Cuttail some thirty years ago and more the said 50 acres of land laid out and set apart as the 50 acres devised to Sallie Cuttail have been greatly neglected and unimproved in value and are now in a dilapidated and almost worthless condition, and your Orator is advised it would be manifestly against Equity and good conscience that the whole of the said 150 acres should be sold upon the theory of the Complainant and his improved lands be estimated as of no more value than the unimproved 50 acres and that he should have no compensation for said improvements although the strict letter of the Law might appear to require it be so sold which these Respondents are advised it does not. And these Respondents pray to be hence dismissed with their reasonable costs in their behalf most wrongfully sustained and as in duty bound they will ever pray &c.

James W Barre  
Sol for John W Fogle and wife

Filed Oct 5 1869.

Order to issue  
Commission  
to appoint  
Guardian

vs  
1. P Thompson } to 3463 Equity.

Charles J Thompson } To Charles Mautz Clerk of Circuit Court

Please issue Commission to Herman

Kuehler Commissioner to appoint Guardian to take answer of infant Defendants in the above entitled cause

J. E. Wood  
Sol for Comp

Filed Feb 17 1871

Commission Maryland To



The State of Maryland to Herman C Kuehler of Frederick County  
Greeting: Whereas William Pralby Thompson has lately exhibited  
his Bill of Complaint before me in the Circuit Court for Frederick  
County sitting as a Court of Equity against Charles J Thompson