Petition of N. D. Ramsburg

Nelson D. Ramsburg & Thomas C. Ramsburg vs Charles Alberts & others

No. 3309 In the Circuit Court for Frederick County, Sitting as a Court Equity.

To the Honorable Madison Nelson, Judge of the Circuit Court for Frederick County, sitting as a Court of Equity.

The petition of Nelson D Ramsburg respectfully shows that on the 15th day of November 1866, he purchased of Grayson Eichelberger, the trustee in the above case, at public sale the land, premises and real estate specified in the bill and Exhibits in this case and that the report of the said sale was duly ratified by your Honor, as well appear by the proceedings herein, which your petitioner prays may be taken as a part of this petition — that your petitioner has fully complied with the terms of sale — that Adam Alberts and Mary Alberts, two of the defendants in the above case are in possession of said real estate and refused to give possession thereof to your petitioner, though he has called upon them to do so since the final ratification of said sale and the full compliance with the terms of sale by your petitioner. Your petitioner therefore, prays your Honor to order that said Adam Alberts and Mary Alberts give to your petitioner full and complete possession of said real estate by a day therein to be named or show cause why a writ of habere facias shall not issue against them and your petitioner will ever pray &c

G. Eichelberger.
Solr for Petitioner.

Writ of Habere fac. poss.

Courts Order.

The Court having read and considered the foregoing petition: It is thereupon this 24th. day of January 1867, ordered that Adam Alberts and Mary Alberts his wife, give to Nelson D. Ramsburg full and complete possession of the real estate specified and described in the bill Exhibits & trustee's report of sale in this case & purchased by said Nelson D. Ramsburg of Grayson Eichelberger, trustee therein, and which real estate is now in their possession & occupancy before the 16th day of February 1867, or show cause before said day why a writ of habere facias possessionem shall not issue against them, provided a copy of the foregoing petition & of this order is served on said Adam Alberts and Mary Alberts either by reading the same to them or leaving a copy thereof at their residence on said premises ten days before said 16th day of February.

Filed Jany 24th. 1867.

M. Nelson.

Courts order for peremptory Writ of habere facias possessionem

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No. 3309 In the Circuit Court for Frederick County, sitting in Equity

February Term, 1867

The petition of Nelson D. Ramsburg & the Court's order passed thereon having been duly served by the Sheriff as therein required and the copy thereof so served having been returned and filed and the said parties therein named having refused to give possession of said land and premises, and having failed to show cause to the contrary; It is thereupon