No 4247 Equity

possession thereof and so continued until the time of his death, that the said Edward L. Boteler thereafter, to wit, on the 17th day of May A. D. 1881, departed this life, leaving a last will and testament, which is now of record in Will Book Liber G folio 788, one of the Books for the recording of Wills in Washington County Maryland, and which is also of record in Will Book Liber folio , one of the books for the recording of Wills in Frederick County, aforesaid, in and by which your Petitioners (together with a certain Robert H. E. Boteler, who afterwards declined to serve) were appointed Executors thereof, that among the other provisions therein contained your petitioners as such Executors were authorized, empowered and directed to sell and convey all the lands of which the said Testator died possessed, except the Lands in said will specifically devised: That among the lands of their Testator not thus specifically devised is the Tract of Land so aforesaid purchased by their testator in the proceedings of the above cause mentioned and described, that in pursuance of the power so vested in them they did sell at public Auction in Burkettsville, Frederick County, Maryland, on Saturday March 4th, 1882, the land so mentioned and described. That thereupon a certain Mathew Arnold became the purchaser thereof, and the sale was duly reported to the Orphans Court for Washington County, for ratification, that it has come to the knowledge of these petitioners that at the time of the ratification of said sale in No. 4247 Equity in this Court no trustee was appointed to convey the said premises to their Testator, (sic) that thereafter no steps or proceedings were ever taken to convey the legal title therein and thereto to him (Your petitioners therefore now pray your Honors to pass an Order in the nature of a Decree, appointing a Trustee, to unite in a deed of Conveyance with your petitioners, to convey the said premises to the said Mathew Arnold, the purchaser thereof, upon his paying the whole amount of the purchase money to your petitioners

And as &c

Alex Neill
Sol for Petitioners

Order of Court

On reading and considering the foregoing petition and the Court being satisfied from the papers and proceedings in No. 4247 Equity in this Court, that the real estate in the said proceedings mentioned, was purchased by said Edward L. Boteler, and that the said sale was duly reported to and ratified by this Court and that the purchase money due therefor was brought into this Court for distribution and being satisfied that the said Edward L. Boteler departed this life without the legal title to said real estate having been conveyed to him by any Trustee appointed by this Court for the purpose. It is thereupon this 9th day of March A. D. 1882, ordered by the Circuit Court for Frederick County sitting as a Court of Equity that Alexander Neill of Washington County, Maryland be and he is hereby appointed a Trustee to unite with the Executors of Edward L. Boteler deceased in a deed of Conveyance so as to convey to Mathew Arnold, or any purchaser, the legal title to the real estate in the proceedings in this cause mentioned and described which was purchased by the said Edward L. Boteler and ratified by this Court in said No. 4247 Equity

William V. Rowe
Judge of the Circuit Court

Filed March 9th 1882