

No. 4816 Equity

them against loss by reason of their being ^{the} parties aforesaid prior to the execution of the deed of Trust aforesaid.

That your Orator and the said O. J. Zimmerman, allowed the said Trustee to sell the said real estate, and to have themselves had to purchase said farm, at the sale for the sum of seven hundred and fifty dollars. All of which will more fully appear by a reference to the deed of said J. J. Jamison Trustee to your Orator and said O. J. Zimmerman herewith filed, marked Exhibit No. 1, which together with all other Exhibits herewith filed or hereafter to be filed, your Orator prays may be taken and considered, as a part of this his Bill of Complaint.

Your Orator further charges that the whole arrangement was consummated and carried out simply to save themselves from loss on said note for which they were parties.

Your Orator further charges that the said O. J. Zimmerman is now dead - died in the Spring of the year A. D. 1882, and left surviving him, a widow Caroline J. Zimmerman who is over twenty one year of age - a daughter Florence C. Hedges who is married to David L. Hedges who are adults, over twenty one year of age, a son Harvey H. J. Zimmerman and a son Spencer G. Zimmerman who are both infants under twenty one year of age. That all of said parties reside in Frederick County Maryland.

Your Orator further charges that the said O. J. Zimmerman in his lifetime was willing and that his family his widow and children are willing the youngest child being fifteen years of age, to convey their interest in said farm to your Orator, George Dickesell upon his paying or assuming to pay said note to the Central Bank and relieving the estate of said O. J. Zimmerman of its liability, so that the estate can be closed.

Your Orator charges that this will be to the interest and advantage of all parties and be carrying out the agreement and understanding first entered into, but by reason of the infant children no deed can be executed except by a decree of your Honorable Court.

Your Orator charges that he has made arrangements satisfactory to all parties to relieve the estate of the said O. J. Zimmerman from its liability on the note aforesaid.

Your Orator therefore prays your Honorable Court to grant unto your Orator the writ of Subpoena directed to the Sheriff of Frederick County against the said Caroline J. Zimmerman, Clara J. Zimmerman Florence C. Hedges, David L. Hedges Harvey H. J. Zimmerman and Spencer G. Zimmerman commanding them and each of them to be and and appear in your Honorable Court on a day certain to be therein named to answer the premises and abide by and perform such decree as may be passed in the premises, and that your Honorable Court may pass a decree authorizing and empowering the said parties to convey their interest in said farm to your Orator upon his discharging the liability of said estate on said Eight hundred dollar note, and appointing some one to make and execute said deed and as in duty bound your Orator ever prays &c.

Filed August 25, 1882

J. E. R. Wood
Solicitor In Comp

This deed made this 14th day of October in the year of Our Lord One thousand eight hundred and eighty by John J. Jamison of Frederick County in the State of Maryland, Witnesseth. Whereas by virtue of a certain deed of Trust executed by Abraham Dickesell and Mary Dickesell his wife on the 14th day of Oct. A. D. 1880 and recorded in Liber No. Jolir one of the Land Records of Howard County in the State of Maryland, and by virtue of a decree of the Circuit Court for Frederick County in Cause No. 4229 Insolvencies the said John J. Jamison was appointed Trustee with power to sell and convey the Real Estate belonging to the said Abraham