

No. 4940 Equity

before said day: provided a copy of this order be inserted in some newspaper published in Frederick County, for three successive weeks prior to said day.

The report states the amount of sales to be \$257.⁵²

Dated this 20th day of January 1855

(Examiner)

Adolphus Schmale Jr

Clerk of the Circuit Court for Frederick County

Office of The Examiner, Frederick, Md. May 7th 1855

This is to certify, that the annexed order nisi was published in The Examiner, a newspaper published in Frederick County, once a week for three successive weeks prior to the 14th day of February 1855

Printed and filed

Filed May 5th 1855.

Keiser & Knapp

Thomas Jacobs and Mary Jacobs his wife

No 4940 Equity, in the Circuit Court for Frederick County

vs Sarah Jacobs Et al

Sitting as a Court of Equity

To the Honorable the Judges of the Circuit Court for Frederick County Sitting as a Court of Equity

1. The petition of Thomas Jacobs respectfully represents unto your Honors that Ignatius Jacobs was in his life time and at the time of his death indebted unto your petitioner in the full and just sum of two hundred and fifty dollars, which amount is yet due and unpaid, a statement of which indebtedness as sworn to by your petitioner is herewith filed as Exhibit D. to this petition and which it is prayed may be taken and considered as a part hereof

Petition of Thomas Jacobs

2 Your petitioner further represents and charges that the said Ignatius Jacobs as per the Bill filed in the above entitled cause on the 3rd of October 18 53 departed this life intestate seized and possessed of valuable real estate, which real estate has been sold under a decree passed in said Cause and has been finally ratified and confirmed, all of which will appear by reference to the proceedings in said Cause

3 Your petitioner further represents that the said Ignatius Jacobs left surviving him a widow named Sarah Jacobs and the following named children and heirs at law by your Petitioner Thomas Jacobs, John Jacobs, Benjamin D Jacobs, William D Jacobs, Mary, H. Baker whose husbands name is Jonathan H Baker, Jacob M Jacobs, Henry Jacobs, Susan R Hardman whose husbands name is Isaac Hardman and Ellen Wolf, whose husbands name is Cornelius Wolf among whom the proceeds arising from said sale are to be divided subject however to the payment of your petitioners claim

4 Your petitioner further represents that the said Ignatius died insolvent as to his personal estate and that there is no other fund in existence which can be applied to the payment of your petitioners claim, except that arising from the sale of the real estate above mentioned and that your petitioner has the right to insist that his claim be paid out of said fund before its distribution among the heirs at law of the said Ignatius Jacobs

5th Your Petitioner further represents that no one has taken out letters of administration on the estate of the said Ignatius Jacobs because he left no personal estate

6th Your Petitioner prays your Honors to pass an order directing the auditor of your Honorable Court in stating an account of the trust fund above mentioned to allow your petitioners claim out of said fund. And as in duty bound will ever pray &c.

John C. Motter

Sol for Petitioner

The above Petition having been read and considered, it is therefore on this 30th day of March 1855 by the Circuit Court for Frederick County sitting as a Court of Equity adjudged and ordered that the Auditor of this Court in stating an account of the trust funds

Courts Cl

Exhibi to Petition of Thomas Ja

claim of Mary Jaco

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