No. 5149 Equity.

Petition

George Oliver Hammond
vs others
John Peter Hammond
vs others

No. 5149 Equity

In the Circuit Court for Frederick County.

Exhibit C.C.H.

To the Honorable the Judges of said Court:

The petition of Geo. O. Hammond & Emma A. Hammond his wife, Samuel G. Myers and Fanny S. Myers his wife and Julia V. Hammond, Plaintiffs in the above cause and John P. Hammond one of the defendants respectfully shows,

1st. That the Plaintiffs in the above cause filed their Bill of Complaint in the above cause praying for the passage of a decree for the sale of the real and personal property and estate of which George W. Hammond late of Frederick County died seized and possessed.

2. That by the last will and testament of said George W. Hammond it was directed that his "property be appropriated and remain in the hands of his family until the youngest child becomes of age, at which time" he directed "the property both real and personal shall be sold the proceeds of which shall be distributed" as in said will is directed, a copy of which will is filed in this cause marked Exhibit No 1. and prayed to be taken as part of this petition as fully as if here inserted in words and figures.

3. That the youngest child of said George W. Hammond deceased viz. Charles Clayton Hammond, is now of age, he having been born on the 20th day of December A. D. 1866 and was twenty one years of age on the 20th day of December A. D. 1887, as will appear by a certified Copy of the "Record of Births" in the Office of the Clerk of your Honorable Court filed herewith marked Exhibit C.C.H. and prayed to be taken as a part of this petition.

Petition

4th That the object of said bill of complaint was to procure a decree for the sale of said property before said Charles C. Hammond became of age for the reasons stated in said bill but no decree has ever been passed thereon, but the time has now arrived for the sale of said property as directed by said will.

5. That your petitioners and children of the said George W. Hammond deceased, and interested in the sale of said property which consists of a farm containing one hundred and twenty three acres of land, more or less, described in Exhibit No. 2. and a small lot of personal property, and while said testator by his said will left said property to be sold for the purposes mentioned in said will but did not appoint any person to make such sale—

Consts Order

Wherefore your Petitioners prays

1st. That your Honors will appoint a Trustee bond and convey the said property of the said George W. Hammond directed by his will to be sold and apply the moneys arising from such sale to the purposes intended and distribute the same among the parties entitled

2. That your Petitioners may have all such other and further relief as the nature of the case may require and to your Honors shall seem just. And they will ever pray &c

Milton G. Moner
Solicitor for Petitioners

Filed December 31 1887