which said several sums of money specified in said notes are liens on said Real Estate so purchased by the said William H. Kuhn true Copies of said notes are here exhibited marked A No 2 the originals will be brought into this Court which said sums of money are now due and owing to your orator as the executor of the said George Ovelman as Trustee aforesaid your orator further charge that the Wm. H. Kuhn has left this State and gone to parts unknown and he has left no property in this State, except the property purchased of the said George Ovelman as Trustee to sell the Real Estate of the said Joseph Kuhn decd and that said Wm. H. Kuhn is insolvent and that your orators only remedy is in a Court of Equity to enforce the equitable lien on said real estate, for the purchase money and that the said William H. Kuhn is the same person named and called by the name of John Kuhn who resides out of the State of Maryland. The said George Ovelman the Trustee did not execute to said William H. Kuhn a deed of Conveyance of said real estate as sold to him and the said purchaser has never complied with the terms of sale & said property is liable to be resold &c. To the end therefore that the said Wm. H. Kuhn the said defendant may have full & perfect answer make to the several parts and charges as if the same were here again repeated and he thereunto particularly interrogated may it please your Honor to order adjudge and decree that the said real estate specified in the said report of sales by the said George Ovelman Trustee & the plat accompanying said report purchased by the said William H. Kuhn be sold by a Trustee appointed for that purpose to pay and satisfy said purchase money as shall be found due and may it please your Honor to extend unto your orators all such other and further relief in the premises as the nature of the case may require and as to your Honor shall seem just & Equitable & may it please your Honor to grant unto your orators an order of publication giving notice to the said John H. Kuhn who is a non resident as before stated of the substance and object of this bill and warning him to be and appear in this Court in person or by Solicitor on or before a certain day to answer the premises and show cause if any he has why a decree ought not to pass as prayed and abide by and perform such decree as may be passed in the premises and as in duty bound your orators will ever pray

Jno H. Palmer Sol for Complainants

Cyrus C. Kuhn et al vs Joseph Kuhn et al } No 2635 Equity In the Circuit Court for Frederick County sitting as a Court of Equity

February Term 1856