

## NO. 6944 Equity.

Situate in Frederick County Maryland, the first of which tract is fully described in a certain deed from John C. Motter, trustee to the said John N. Stitley, bearing date Dec. 1 1891, and is duly recorded in Liber J. L. J. NO. 1. folio 68 one of the land records for Frederick County, a Certified Copy of which is herewith filed as exhibit No. 2. to this Bill. The second of which is described in a certain deed from John Smith of or to the said John N. Stitley bearing date February 10<sup>th</sup> A. D. 1857, and is duly recorded in Liber C. P. NO. 10. folio 116 one of which is filed herewith and marked exhibit No. 3. to this Bill.

3<sup>rd</sup> That letters of Administration upon the estate of the said John N. Stitley have been granted to Daniel P. Zimmerman, who has qualified as such Administrator. A Certified Copy of his letters of Administration being filed herewith and marked exhibit No. 4. to this Bill.

4<sup>th</sup> That the personal estate of the said John N. Stitley deceased is small and totally inadequate and insufficient to pay the debt of this Complainant together with the other debts of the deceased, which have been filed against said estate.

5<sup>th</sup> That the said John N. Stitley did on the 19<sup>th</sup> day of December in the year 1891 execute his deed of Mortgage conveying the property described in Exhibit No. 2. to Jacob Holbromer to secure the payment of his promissory note in the sum of six hundred dollars, which said mortgage had since been assigned to - a Certified Copy of which Mortgage being filed herewith and marked exhibit No. 5 to this Bill.

3<sup>rd</sup> That the real estate heretofore described, after the payment of deceased debts descended to and vested in his child or children, if living as tenants in Common, who are unknown to Complainant, and who are now residents of the State of Maryland, and have not been heard of for about fifty years, and are supposed to be dead, and if dead, then said property, after the payment of the debts of the deceased descended to and vested in the brothers of the deceased, and their representatives, as tenants in Common, as follows, the eldest brother, Samuel A. Stitley whose wife's name is Missouri Stitley, residents of Frederick County