

your estate is advised that the said personal estate in the hands of the said administrators ought to be applied to the payment of the claims of your estate and of the other creditors of the said George E Miller, so far forth as the same will extend and that any deficiency in the said personal estate ought to be supplied by a sale of the real estate of their aforesaid debtor. But now so it is that your estate is without adequate relief in the premises save by the aid of your Honorable Court. It is the end therefore that the defendants hereinafter named may answer the matters and things hereinafter stated as fully & particularly as of the same were here repeated and they therein specially interrogated, and that an account may be taken under the direction of this Court, of the debts due by the said George E Miller at the time of his death, and that the aforesaid real estate, (which is shown by two deeds, copies of which marked Exhibit No 2 & Exhibit No 3 are herewith filed) or so much thereof as may be necessary for the purpose, may be decreed to be sold for the payment of so much of said debts as may remain unsatisfied by the application of said personal estate and that your estate may have such other and further relief as the nature of his case may require, may it please your Honor to grant unto your estate the writ of Subpoena against the said Rebecca Miller, the said Frederick D Miller, Tobias Staley and Susanna Staley his wife and the said James Mearns & Rebecca Mearns his wife of Frederick County commanding them to appear in this Court, at some certain day to be therein named, to answer the premises and to abide by and perform such decree as may be passed therein and as in duty lies.

Filed July 14. 1853

Wm B Suckett Sol^r for Compt

Exhibit No 1

George Ezra Miller

To Mr J Preston

1852 Sept. 12th To 212 Qu^{ts} Linn^s a 104 per bush \$ 21 20

State of Maryland Frederick County to wit

This 12th day of January 1853 before me the subscriber, one of the Justices of the peace in and for said County personally appeared Mr J Preston and made oath on the Holy Evangelist of Almighty God that the annexed account as stated is just and true and that he hath not received any part of the money stated to be due or any security or satisfaction for the same except an account in bar

Sworn before Mr. Baltzell

Exhibit No 2

At the request of George E Miller the following deed is recorded 22 July 1849

1849 July 21 Reid Stamp duty M B Tyler Clk

This indenture made this sixteenth day of February one thousand eight hundred and forty nine between Susanna West Executrix and Frederick A West Executor of Jacob West deceased, of Frederick County in the State of Maryland of the one part, and George E Miller of the County and State aforesaid, of the other part Witnesseth that for and in consideration of the sum of five hundred and twenty eight dollars and Eighty seven Cents current money by the said George E Miller to the said Susanna West and Frederick A West in hand paid at and before the sealing and delivery of these presents the receipt of which they do hereby acknowledge and themselves to be thereunto to be fully satisfied contented and paid the said Susanna West and Frederick A West have bargained and sold aliened and conveyed and by these presents doth give, grant, bargain and sell alien conveyed, release, convey and confirm unto the said George E Miller his heirs and assigns all the part of a tract of land called Lawrence Reunoyed, situate lying and being in Frederick County aforesaid, it being a part of said tract heretofore on the 8th day of September 1828 conveyed by a certain Jacob Shaffer to Jacob West, for one hundred and fifty six 15/100 acres beginning for the part of said deed, hereby intended to be conveyed at the

Exhibit No 3