

a copy of which is herewith exhibited marked Exhibit No 3. your Complainant further states - that upon the filing of said renunciation the Orphans Court for Frederick County granted to John Walter of said County Letters of administration with the will annexed upon the Estate of the said Thomas Elder at the time of his death, was seized of large Real Estate in Frederick County as will appear from the Copy of a Deed herewith filed as Exhibit No 5 your Complainant further states - That said Thomas Elder at the time of his death was very heavily indebted so much so that his personal Estate will prove utterly insufficient to pay his debts and that it will require the sale of the greater part if not the whole of his Real for that purpose - Intender Conservation whosoever and for as much as your Complainant is remediless in the premises by the strict rules of Common Law and only releasable in a Court of Equity where matters of this nature are properly Cognizable and to the end - That the said Lydia Ann Elder the widow John Walter adm^r with the will annexed - Thomas Elder and Ellen Craten formerly Ellen Elder. may upon their several Oathes true and perfect answers - make, to the matters & things herein charged as if they were specially interrogated thereto, and to the end that the whole of the Real Estate whosoever said Thomas Elder dies seized may be sold, under a Decree of this Honorable Court, and the proceeds distributed among the creditors and parties in Interest among the Creditors, and parties in Interest and that your Complainant may have all such other or further relief in the premises as may be consistent with Equity and the nature of his case may it please your Honor to grant to your Complainant the writ of Subpoena in the usual form against the said Lydia Ann Elder John Walter adm^r with the will annexed and Thomas Elder and to the Sheriff of Frederick County to be directed and the writ of Subpoena - against the said Ellen Craten and to the Sheriff of Baltimore City to be directed Commanding each and all of the said defendants, to be and appear in your Honorable Court, upon some certain day in said Subpoena fixed to answer the allegations in this Bill and to abide by and perform such Decree as may be passed therein

Wm J Ross +
Wm Ross } / Solicitor for
Compt

Exhibit No 1 is as follows to wit:

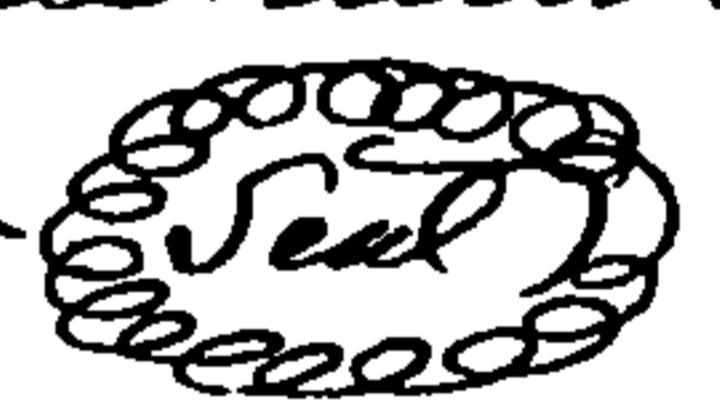
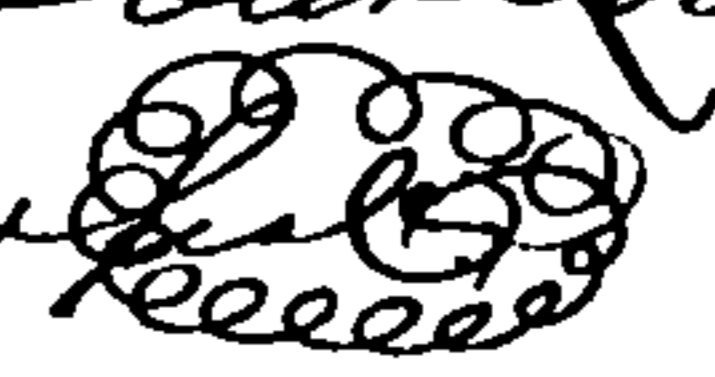
Shanty days after date - I promise to pay to William & James, the sum of Twenty One Dollars with Interest from date for value received
Witness my hand & seal this 26 of May 1853
Thomas Elder 

Exhibit No 2 is as follows

Know all men by these presents - that Thomas Elder of Frederick County, in the State of Maryland (I am) Considering the uncertainty of this life and being of sound mind and memory do make and declare, and publish this my last will and Testament I give devise and bequeath to my beloved wife Lydia Ann all my Estate real personal and mixed absolutely and forever. Provided she files @ Bond in the Orphans - Court of Frederick County with security approved by said Court, in said sum as they may think necessary that she will pay all my just, and lawful debts & funeral expenses I further hereby authorize, and fully empower my said wife Lydia Ann to secure by deed by sale, or mortgage any amount of money she may find it necessary to pay the debts due by me, as I could or might do were I personally present In testimony whereof I have to this my last will & Testament, subscribed my name and affixed my seal this Eleventh day of March in the year of our Lord One thousand Eight hundred and Fifty three
Thomas Elder 

his marks x

Signed sealed delivered and published by the said Thomas Elder, as, and for his last will and Testament, in presence of us, who at his request and in his presence & in the presence