

to be void, and of none effect as against your said Orator To the end therefore - That the defendants herein after named may answer the several matters, and things herein set forth as fully and particularly as if the same were here again repeated, and they particularly interrogated thereto, and that the said administratrix may set forth an account of the personal Estate of said Dec^d her Intestate, and the amount and particulars thereof, and what part is now in her hands and how much and how the same hath been disposed of by her in payment of debts, and what debts and to what amount remain unsatisfied and that the said Maria Higgens may discover and shew what was the Real motive inducement, and Consideration which induced the said Conveyance to her, and whether the same was not made in fraud of the just claims of your orators, and with a view to defeat her debt & delay them and other creditors in the prosecution of their just claims And that the said personal Estate, in the hands of said administratrix may be applied in a due course of administration to the payment of the claims and debts aforesaid, due your orators, and all other Creditors - And that the said Real Estate so as aforesaid conveyed - in fraud of your said orators' just claims may be sold to pay and satisfy so much - of your said orators' claim as their just share of the said personally may not cover And that your orators may have such further and other relief, as their case may require - May it please your Honors to grant to your orators the writ of Subpoena against the said Harriet Estays & Maria Higgens of Frederick County aforesaid - Commanding them to appear in this Court on some day to be therein named to answer the premises and to abide by and perform such Oathes as may be therein imposed And as security bound they will each pay &c &c

Wm. M. Merrick Clerk

Exhibit A is in the words & figures as follow

At the Request of Maria Higgens the following deed was Recorded April 20 1849

April 21 1849 Stamp duty paid W. P. Hyles cl

This Indenture made this 20th day of April, in the year of our Lord One thousand Eight hundred and forty Nine - Between Joseph G. Hays of Jefferson County, in the State of Virginia of the one part and Maria Higgens of the said County and State of the other part Witnesseth - That for and in Consideration of the sum of Two thousand Seven hundred and sixty dollars Current money by the said Maria Higgens to the said Joseph G. Hays in hand paid at and before the sealing and delivery of these presents, the receipt of which he doth hereby acknowledge - the said Joseph G. Hays hath bargained, and sold, aliened, and enfeoffed, and by these presents doth give, grant, bargain & sell alien, enfeoff released Convey, and Confirm unto the said Maria Higgens her heirs and assigns all that Tract, or parcel of Land, situate lying and being, in Frederick County in the State of Maryland containing One Hundred and Forty four acres of Land more or less and Composed and Consisting of the two following Tracts or parcels of Land to wit all that Tract or parcel of Land, or parts of Tracts or parcels of Land Conveyed to the said Joseph G. Hays by Pny Bennett and Eleanor Bennett his wife by deed dated 11th day of Decr 1848 and Recorded in Liber 10th of N^o 8 fol 545 One of the Land Records of Frederick County, and also all that Tract, or parcel of Land or part of a Tract or parcel of Land Conveyed to William Higgens of Frederick County aforesaid by James Higgens and others, by deed of partition dated 2nd day of July 1837 and Recorded in Liber 2nd of N^o 5. folios 256 257 & 258 One of the Land Records of Frederick County Court, all of which together with a more particular description of the Land and premises hereby Conveyed or meant and intended to be Conveyed well more fully, and large appear by reference to the deeds aforesaid - Recorded as aforesaid, in the Land Record of Frederick County Court Together with all and singular the buildings Improvements, ways waters water Courses rights members privileges advantages and appurtenances -