

to her own use, and that she nor no other person have ever obtained letters of administration on the personal Estate of said Intestate, and that your orator has no legal mode by which he can collect the said purchase money due, to him as aforesaid and that his only remedy is in your Honourable Court, as a Court of Equity, to obtain a Decree for the sale of said Land & Premises, he never having parted with the legal title to the same, and said purchase money being an Equitable Lien on said Real Estate, as your orator is advised, your orator further states, that the said widow of the deceased Conrad Hamburg, and part of her children aforesaid have taken and hold possession of said Land, and Premises, and now refuse to give up to your orator, the possession of the said, and she, and her said children, under her aid cutting & destroying the timber on said Lands, which is very valuable. In tender Consideration whereof, and for that your orator is remediless in the premises, by the strict rules of the Common Law, and relievable only in a Court of Equity, where matters of this nature are properly cognizable - To the end - therefore that the said Margaret Hamburg, Jacob Hamburg, David Hamburg, Henry Hamburg, Abraham Hamburg, Elizabeth Hamburg, Barbara Hamburg, Jane Hamburg, Susannah Hamburg, John Lydy, & Henrietta Lydy his wife, Luther Iser and Sidney Iser his wife, Henry Iser, and Caroline Iser his wife, may full true direct & perfect answers make, according to the best of his Knowledge, information, and belief to all the facts, Charges in said Bill of Complaint, as fully as if the same were here again repeated, and they thereunto particularly interrogated, and it please your Honor to Order, adjudge, and Decree, that the said defendant, or some one of them, on or before some short day, to be specified in said Decree, pay to the said Abraham Stoner, your orator, or to bring into this Court the said Balance of purchase money, in this Bill charged to be due, and all interest thereon, and the Costs, and Charges of this Case, to be taxed by the Clerk of this Court, and in Case they make default of payment &c. That the said Land & Premises so as aforesaid specified in said article of agreement, exhibited in this Case, marked - Exhibit N<sup>o</sup>. 1. be sold by a Trustee for the purpose of paying said purchase money, Interest Costs Charges, &c. And may it please your Honor to extend unto your orator all such - Other, and further relief in the premises, as the nature of the Case may require, and as to your Honor shall seem meet. May it please your Honor, to grant unto your Orator the State of Maryland writs of Subpoena to be directed to the said John Lydy, and Henrietta his wife, Abraham Hamburg, Margaret Hamburg the widow, Elizabeth Hamburg, Luther Iser, and Sidney his wife, Barbara Hamburg, Jane Hamburg, Henry Iser & Caroline his wife, Susannah Hamburg, thereby Commanding them, and each of them to be, and appear, in person, or by solicitor, before your Honor, in your Honourable Court, on a day certain to be specified, then, and there to answer the facts and Charges in said bill of Complaint &c. and may it please your Honor to Order & direct notice to be given, to the absent defendants by order of Publication according to the provisions of the acts of assembly in such Case made, and provided - thereby notifying them to be, and appear, in this Court, in person, or by solicitor, on a certain day to be specified in said order of Publication, then, and there to answer, said bill of Complaint &c. &c. & your orator will ever pray &c.

J. M. Palmer, Solicitor.  
 For Compt.

Exhibit N<sup>o</sup>. 1 is as follows, to wit.

Article of agreement, made and concluded 17<sup>th</sup> day of February, in the year of our Lord, one thousand eight hundred and forty one, by, and between Abraham Stoner, of Franklin County, State of Pennsylvania of the one part, and Conrad Hamburg of Frederick County Maryland of the other part. Witnesseth, That the said Abraham Stoner, for the Consideration hereinafter specified, hath granted, bargained, and sold, and by these presents, doth grant, bargain, and sell, all that Tract, or portion of Land, now under the occupancy of James Manahan, and David Manahan, Situate lying & being