

Bill

To the Honorable Madison Nelson, Judge of the Circuit Court for Frederick County sitting as a Court of Equity. Humbly complaining sheweth unto your Honor your Orator Grayson Eichelberger of Frederick County who files this bill as well on his own behalf as for all other creditors of said George J. Fischer who will come in and contribute to the expenses of this suit, that heretofore, to wit: on the 7th day of May 1850 a certain George J. Fischer of said County was indebted to your Orator in the sum of one thousand dollars by his promissory note bearing date the day & year aforesaid and payable thirty days after date with interest from date for value received and that a certain Jacob Markell, Alexander B. Hanson and Michael Kieffer of said County were jointly and severally bound and liable on said note with said George J. Fischer as securities for the payment of said sum of money, as will fully appear by said promissory note herewith filed marked Exhibit No 1 which with all other Exhibits your Orator prays may be taken and considered as a part of this his bill of Complaint as if here inserted in words and figures, your Orator further sheweth unto your Honor that said George J. Fischer would to secure, indemnify and save harmless the said Alexander B. Hanson, Michael Kieffer and Jacob Markell from all loss by reason of their securityship on the aforesaid note and on various other notes, did by his three several deeds of Mortgage convey to said Jacob Markell, Michael Kieffer and Alexander B. Hanson certain real and personal property therein specified and described including the lot of ground designated as lot No 279 on the plat of Frederick Town being the same whereon were erected the Gas Works known as the "Isabella Gas Works" upon the conditions and stipulations therein specified & set forth, as will fully appear by said deeds of Mortgage true & certified copies of which are herewith filed marked Exhibits No 2, 3 and 4. Your Orator further charges that the whole of said sum of money mentioned in said promissory note, except what is thereon credited is due and owing to your Orator and he is advised and charges that said mortgages enure to the benefit of your Orator and the other creditors therein named and they are entitled to have said mortgage property sold for the payment of their respective claims. Your Orator further states that said George J. Fischer being indebted to sundry persons by his promissory notes wherein Jacob Markell was jointly and severally bound and liable as security for said George J. Fischer in order to save said Jacob Markell harmless from all loss by reason of his securityship in said notes did by his deed of Mortgage convey to said Jacob Markell all the hereinbefore mentioned property upon the conditions therein set forth as will fully appear by said deed of Mortgage herewith filed marked Exhibit No 5. Your Orator further states unto your Honor that afterwards, to wit: on the 29th day of August 1853 the said George J. Fischer by contract in writing duly executed sold said lot with the Gas Works thereon erected, to the Isabella Gas Works, that at the time of the execution of the mortgages herein before set forth, the title to said lot had not been conveyed to said George J. Fischer, owing to the fact that some of the vendors thereof were bound and liable as securities for said George J. Fischer on a note discounted for him by the Frederick Town Savings Institution, the proceeds of which note so as aforesaid discounted, your Orator charges, were applied to the payment of the purchase money for said lot and your Orator charges that after said notes were paid and the vendors thereby released from all responsibility by reason of their said securityship, the said vendors by the request of said George J. Fischer and said George J. Fischer executed a deed of conveyance for said lot of ground & the appurtenances to the Isabella Gas Works, thereby vesting the fee of said lot in said Gas Works, but your Orator charges that said Isabella Gas Works under the circum-

Exhibit
No 1Exhibit
No 2