

County sitting as a Court of Equity,

The bill of Complaint of John Hockensmith of Frederick County who files this bill as well for himself as for all other creditors of William Hockensmith deceased who shall come in and contribute to the expenses of this suit, respectfully sheweth unto your Honor that the said William Hockensmith in his lifetime by his promissory note dated the fourth day of March in the year Eighteen hundred and sixty four, promised to pay ten days after date to your Orator, or order one hundred and twenty five dollars, for value received with interest from date, a true and perfect copy of which note is filed herewith as Exhibit No. 1, which with all other Exhibits your Orator prays may be taken as a part of this his bill of Complaint as if here inserted in words and figures,

Your Orator further states that said William Hockensmith died intestate sometime in the month of May 1864 without having paid said note or any part of the same, and that said William Hockensmith was seized and possessed at the time of his death of a tract of land containing about seventeen acres more or less, particularly described in a deed from Emanuel Prough and wife to said William Hockensmith, a true and certified copy whereof is filed herewith as Exhibit No. 2,

Your Orator still further sheweth unto your Honor that letters of administration on the personal Estate of the said William Hockensmith, were by the Orphan's Court of Frederick County, granted to your Orator as will appear by an exemplification thereof filed herewith as Exhibit No. 3, that said personal Estate is insolvent and largely insufficient to pay the debts due and owing by said intestate, and your Orator is advised that the creditors of said intestate are entitled to have said real estate sold for the payment of all of said intestate's debts, Your Orator further states that said William Hockensmith died leaving as his only children and heirs at law Robert Eli Hockensmith and Mary Columbia Hockensmith both of whom are minors under the age of twenty one years and reside in Frederick County,

And under consideration whereof and for that your Orator is remediless in the premises by the strict rules of the Common law and releasable only in a Court of Equity where matters and things of this nature are properly cognizable, and therefore that the said Robert Eli and Mary Columbia Hockensmith may answer fully and particularly, all and singular the charges and matters aforesaid, May it please your Honor to order release that said real estate may be sold by a trustee to be appointed for that purpose and that your Orator may have all such other and further relief, redress in the premises as the nature of the case may require and to your Honor shall seem just, May it therefore please your Honor to grant unto your Orator the State of Maryland's writ of Subpoena, to be directed to the said Robert Eli Hockensmith and Mary Columbia Hockensmith thereby commanding them and each of them to be and appear before your Honor on a day therein to be named to answer all and singular the premises and to stand to, abide and perform such order and decree therein as to your Honor shall seem just, and your Orator will ever pray &c.

Wm. H. Newell Sol. for Compl.

Ten days after date I promise to pay to John Hockensmith or order the sum of one hundred and twenty five dollars with interest from date, for value received, March 11: 1864.

William Hockensmith

State of Maryland Frederick County, to wit: On this 12th day of May A.D. 1865, before me the subscriber, a Justice of the Peace in and for said County, personally appeared David Agnew Agent of Jno. Hockensmith

County, Plaintiff, Defendant, being in, day in the month of, of the County, The, Equity, 1865, signed, by, and, sitting, 10, Exhibit No. 1, day of, here, at law, Frederick