

the Payment of the claim of your complainant, and of all other creditors of the said intestate so far as the same will extend, and that any deficiency in the said personal estate ought to be supplied by a sale of the real estate of his aforesaid debtor, and your Complainant admits that since the death of said Sarah Boston, the said James A. Boston as said administrator paid your complainant the sum of four thousand dollars (\$4000) as part of the purchase money of said farm, but your complainant insists and so charges that the sum of nine thousand one hundred and twenty dollars (\$9,120) the balance of the said purchase money is still due and owing to your complainant with the interest thereon from the first day of April eighteen hundred and sixty five, as reference to said Exhibit filed marked 'B.' will fully appear. and your complainant is advised and so charges that the said sum of nine thousand one hundred and twenty dollars (\$9,120) is a lien on the real estate sold as aforesaid by your complainant to said Sarah Boston dec. as unpaid purchase money, and intended consideration whereof, and for that your complainant is remediless in the premises by the strict rules of law and relievable only in a court of equity where matters of this nature are properly cognizable, therefore your complainant prays your Honor to adjudge, order and decree that the said real estate be sold under the direction of said Court for the payment of the said debt due and owing to your complainant as aforesaid and all other unsatisfied creditors of said intestate (if any). ~

It is the end therefore that the defendants hereinafter named, may answer the several matters and things hereinbefore stated as fully and particularly as if the same were hereon again repeated, and that they were thereunto specially interrogated; and that the said James A. Boston as administrator as aforesaid, may also set forth an account of the amount of the personal estate of his said intestate, possessed by him as said administrator, and what amount of debts remain against said intestate unsatisfied and that an account may be taken under the directions of this Court of the said debt so as aforesaid due your complainant, and all other debts which were owing by said intestate at the time of his death and which still remains unpaid, and also of the personal estate and effects of said intestate received by or for the use of the said James A. Boston as administrator as aforesaid, and that the said personal estate may be applied in a due course of administration in payment of the debts of said intestate due to your complainant, and all other creditors who may come in and contribute to the expenses of this suit, and that the aforesaid real estate or so much thereof as may be necessary for the purpose, may be by said Court adjudged, ordered and decreed to be sold for the payment of so much of the aforesaid debt as may remain unsatisfied by the application of the personal estate as aforesaid, and that your complainant may have such other and further relief in the premises as his case in Equity may require. ~

May it please your Honor to grant unto your complainant the state of Maryland writ of subpoena against the said John Boston, Emanuel Taylor and Susan Taylor his wife, Laura S. Beard, Samuel P. Beard and James A. Beard of Frederick County in the state of Maryland, and James A. Boston as heir at law and as administrator in his own right and Benjamin Thomas and Mary Thomas his wife, William Skitts and Sophia Skitts his wife, Jacob Mering and Martha Mering his wife, Sarah Crabb, Samuel Morris and Andrew Waines of Carroll County in the state of Maryland, commanding them to appear in this Court at some certain day to be therein named to answer the premises and abide by and perform such decree as may be passed therein and as in duty bound your complainant will ever pray &c. ~

Joseph Davis
Solicitor for Complainant