No 3235 Equity.

John Hauver
vs
Barbara Butler et al

In the Circuit Court for Frederick County sitting as a Court of Equity. Filed August 8 1865 in the words & figures orig.

To the Hon. Madison Nelson Judge of the Circuit Court for Frederick County sitting as a Court of Equity. – The bill of complaint of John Hauver of said County respectfully shewes unto your Honor that heretofore to wit, about the year Eighteen hundred & seventeen your Orator sold to a certain Ormond F. Butler a lot of ground fronting on the North side of East Fourth Street in Fredericktown at & for the sum of seventy five dollars, for a full & particular description of said lot of ground reference is hereby made to the deed of conveyance for the same from Michael Hauver to your Orator, a true & certified copy whereof is filed herewith as Exhibit No. 1 which with all other Exhibits your Orator prays may be taken as a part of this bill of complaint as if here inserted in words & figures. – Your Orator further shows that said Ormond F. Butler executed to your Orator his single bill for said purchase money, on which some small payments, but not sufficient to meet the accruing interest, were made from time to time, until the twenty third day of February in the year Eighteen hundred & fifty six, when a settlement was made between said Ormond F. Butler and your Orator & a balance of eighty one dollars & thirty four cents was ascertained to be due of said purchase money to your Orator, for which sum the said Ormond F. Butler executed his single bill bearing date the day & year last aforesaid & payable to your Orator twelve months after the date thereof with interest from said date, as will appear by said single bill filed herewith as Exhibit No. 2 – that no deed of conveyance for said lot of ground was ever given to said Ormond F. Butler, that said Ormond F. Butler died sometime about the year Eighteen hundred & sixty three intestate leaving the whole of said sum of money with the interest thereon, in said single bill specified unpaid & that the same is now due and owing to your Orator – that the said Ormond F. Butler died leaving Barbara Butler as his widow & the following named children as his heirs at law, viz; Richard Butler, Charles Butler William Butler, Ormond Butler, George Butler, Robert Butler, Anna Butler, who has intermarried with George A.Ready, Sarah who has intermarried with Henry Baker, Amelia who has intermarried with George French, Harriet who has intermarried with John Neir, and Christina Moccabee, to whom said lot of ground descended subject to your Orators claim for unpaid purchase money, and your Orator is advised & charges that he is entitled to have said lot of ground sold by a decree of your Honorable Court for the payment of the purchase money so remaining due & unpaid & that the same is a lien on said lot of ground. – Your Orator further charges that said parties & heirs at law are all adults – that George Butler and Martha Butler his wife, Robert Butler & Mary Butler his wife George French & Amelia French, John Neir and Harriet Neir reside in Virginia & beyond the limits of the State of Maryland. –

In tender consideration whereof & for that your Orator is remediless in the premises by the strict rules of the common law & relievable only in a Court of Equity where matters of this nature are properly cognizable; To the end therefore that the said Barbara Butler, Richard Butler & Deborah Ann his wife, Charles Butler & Sarah A. his wife, William Butler, Ormond Butler & Alcinda his wife, George Butler & Martha his wife, Robert Butler & Mary his wife, George AReady & Anna Ready his wife, Henry Baker & Sarah his wife, George French and Amelia his wife, John Neir & Harriet his wife & Christian Moccabee may answer fully all the charges & matters aforesaid & that said lot of ground may be sold by a Trustee to be appointed by your Honor for the purpose & the proceeds of sale applied to the payment of your Orators claim for unpaid purchase money & that your Orator may have all such other and further relief in the premises as the nature of the case may require & to your Honor shall seem meet May it please your Honor to grant unto your Orator an order of publication, giving notice