

unpaid. The bill further states that David Hill died sometime in the year Eighteen hundred and forty one, intestate, leaving the following children his heirs at law viz. Hester Abay now the wife of Abraham Abay, Henry Smith now the wife of Jacob Smith, Margaret S. Fisher now the wife of Lott Fisher, Amy Dorsey now the wife of Lovelace Dorsey and Adam Hill.

The bill further states that three of the heirs at law of the said David Hill executed a certain paper to the said Howard Maynard, namely Margaret S. Fisher wife of Lott Fisher, Henry Smith wife of Jacob Smith and Amy Dorsey wife of Lovelace Dorsey, admitting the debt of the said David Hill to the said Howard Maynard to be still due.

The bill further states that Adam Hill and Lovelace Dorsey are non-residents and do not reside in the state of Maryland. It is therefore this first day of March 1865, ordered that the complainant by causing a copy of this order to be inserted in some newspaper published at Frederick once in each of four successive weeks prior to the sixth day of April Eighteen hundred and sixty five, give notice to the said absent defendants of the object and substance of this bill and to appear in this Court in person or by solicitor on or before the seventh day of August Eighteen hundred and sixty five, to answer the premises and show cause if any they have why a decree ought not to pass as prayed.

J. M. L. Carty Clerk of the Circuit Court for Frederick County, Md.

Two Copy - Sent - Sept 13 1865. Maryland Mirror Office, Frederick City, Md.

It is hereby certified that the annexed order of publication was published in the Maryland Mirror, a newspaper printed in Frederick City, and in each of four successive weeks prior to the 6th day of April 1865.

Charles Cook.

No 3219 Equity.

Howard Maynard vs Abraham Abay and Hester Abay his wife and Jacob Smith and Henry Smith his wife, Lott Fisher and Margaret S. Fisher his wife

The defendants Abraham Abay and Hester Abay his wife Jacob Smith and Henry Smith his wife, Lott Fisher and Margaret S. Fisher his wife having been duly summoned to appear to the bill of complaint, and having failed to answer said bill.

It is therefore this 4th day of March in the year Eighteen hundred and sixty six by the Hon. Madison Nelson Circuit Judge of the fourth Judicial Circuit of the State of Maryland and by the authority of the Circuit Court for Frederick County as a Court of Equity, adjudged, ordered and decreed that the complainant is entitled to relief in the premises, but because it doth not certainly appear to what relief the complainant is entitled, it is further adjudged and ordered that a Commission issue to Robert Wilson and Wm. B. Nelson Esq. to take testimony to support the allegations of the bill.

W. Nelson

Maryland Jct.

The State of Maryland to William B. Nelson and Robert Wilson Esq. of Frederick County, Esquires, do it known, that you are appointed Commissioners to examine evidences in a cause depending in the Circuit Court for Frederick County as a Court of Equity, between Howard Maynard Complainant, and Abraham Abay and Hester Abay his wife Et al. defendants. You are therefore required, having first taken the Oath hereunto annexed, and also administered the annexed oath to the person whom you shall appoint as Clerk to attend the execution of this Commission, that at such time and place as to you shall seem convenient, you come to some place before you all and Evidences as shall be named and produced to you by either the complainant or defendants; and that you examine them on their corporal oaths, to testify you administered upon the Holy Evangelists of Almighty God, touching their knowledge or remembrance of any thing that may relate to the cause aforesaid; and that you cause notice to be given to the parties or their attorneys, of the execution of the Commission, before you execute the same, and having reduced the depositions of the witnesses, so taken by you, into writing, you send the same with this Commission, closed under

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