

in the Fall of the year Eighteen hundred and sixty eight, intestate as to his real estate, and that at the time of his death, he was seized of a large and valuable real estate situate in Frederick County, and described and set forth in the deeds from Wm Morris Esq to Grafton Duvall & others, from Lewis Camp Trustee to Grafton Duvall, from B. J. Delashmunt and Thomas R. Jarboe Trustees to Grafton Duvall from Basil J. Delashmunt and wife to said Grafton Duvall, and from Wm B. Morris Esq to Davis Richardson and others, certified copies of which are herewith Exhibited Marked Exhibits Nos 7. 8 9 10 11 12. 13. 14-415. ~

Your Complainant further charges, that the said Grafton Duvall died the sole owner of the lands described and set forth in the Deeds aforesaid, with the exception of that part thereof of the aforesaid lands sold by the said Grafton Duvall in his life time to a certain Jacob Crish, but not conveying being parts of tracts of land Called the "Reservoir or Fox Hall," and part of tract Called New Bremen — Containing Ninety and one half Acres of land more or less. ~

Your Complainant further charges that the said Grafton Duvall, being indebted as aforesaid to your Complainants, and also unto divers other persons in large sums of money, and leaving real and personal estate of great value, departed this life in the fall of the year Eighteen hundred and sixty eight intestate as to his real estate, leaving a widow named Columbia F. Duvall him surviving, and the following children his heirs at law, to whom the lands aforesaid mentioned descended, viz, — Samuel Duvall a son, Edwin Duvall a son, both of whom are infants under the age of twenty one years, and reside with their said Mother in Frederick County Maryland.

And your Complainant further states that he has been informed and so believes and charges that the personal estate of the said Grafton Duvall which has come into the hands of his Executors, the aforesaid Arthur Delashmunt and Benj. H. Duvall, is not sufficient to discharge all the debts due and owing by the said Grafton Duvall at the time of his death, and that any deficiency in said personal estate ought to be supplied by a sale of the Real Estate of said Grafton Duvall, whose personal estate your Complainant charges is wholly insolvent. ~

To the end therefore that the defendants hereinafter named may answer the matters and things hereinbefore set forth, as fully and as particularly as if they were herein again repeated, and they were thereunto specially interrogated, and that the real estate whereof the said Grafton Duvall died intestate, or as much thereof as may be necessary, may be sold under a decree to be passed by your Honorable Court for the payment of as much of the debts of the said Grafton Duvall, as may remain unsatisfied by the application of the personal estate as aforesaid, and that your Complainant may have such other and further relief as the nature and Equity of his cause may require. ~

May it please your Honors to grant unto your Complainant the writ of Subpoena against the said Arthur Delashmunt and Benjamin H. Duvall Executors of the last will and testament of Grafton Duvall Columbia F. Duvall, Samuel Duvall, and Edwin Duvall of Frederick County 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, and as in duty bound be. ~

Filed Dec. 15<sup>th</sup>. 1869 ~

John Ross } Solicitors for  
John W. Ross } Complainants