

Samuel Hinks and  
Susan Hinks his wife  
and Others

No 3604 Equity

vs  
Franklin B Smith

In the Circuit Court for Frederick County sitting, as a Court  
of Equity ~

Be it remembered that heretofore to wit On the 11<sup>th</sup> day of November in the  
year of Our Lord One thousand Eight Hundred and Seventy, came into Court here  
sitting, as a Court of Equity, the said Samuel Hinks and Susan Hinks his wife and  
others, and filed here, by their Solicitors H. & C. W. Ross Esqrs, the following Bill  
with the Exhibits therein mentioned. ~

Bill

To the Honorable the Judges of the sixth Judicial Circuit of the State of  
Maryland, sitting in the Circuit Court for Frederick County as a Court of  
Equity ~

The Bill of Complaint of Samuel Hinks and Susan Hinks his wife, Charles  
Mc Miller and Julia A. Miller his wife, George A. Nixdorff, Lewis M. Nixdorff,  
and Eliza P. Nixdorff his wife, Henry M. Nixdorff, Charles C. Smith and  
Marian A. Smith his wife, Emma J. Smith, M. C. Getzendanner, and Clara C. Getzendanner  
his wife, all adults and residents of Frederick County State of Maryland, Shows. -

That Susan Nixdorff late of Frederick County State of Maryland deceased, died  
intestate, on or about the twenty ninth day of September in the year Eighteen  
Hundred and Seventy, seized in fee simple, of all that Lot of ground situate  
in Frederick Town in the County of Frederick - and also seized of all that wood  
Lot situate in said County and State, being part of Lot No. 4, being part  
of a tract of Land called "Felderin" containing Forty Six Acres, two rods  
and thirteen perches of Land, which said Lot and Wood Lot, were heretofore  
conveyed by Lewis M. Nixdorff, and Henry M. Nixdorff Trustees by deeds to  
said Susan Nixdorff, as will be seen by certified Copies of said deeds herewith  
Exhibited, Marked Exhibit No. 1, and Exhibit No. 2 which Exhibits together with  
all other Exhibits, herein after produced, your Complainants pray may be  
taken as part of this their Bill of Complaint. ~

Your Complainants further state that the said Susan Nixdorff left  
at her death the following Children - and Grand-children, children of a  
daughter who died before the said Susan Nixdorff - to whom said Real  
Estate descended as her heirs at law, to wit:

- 1<sup>st</sup> The Children of Mary C. Smith, who died before her mother the said Susan Nixdorff, viz (1) Charles C. Smith married to Marian A. Hinks, (2) Emma J. Smith, (3) Clara, married to M. C. Getzendanner - All of whom are of full age, (4) Franklin B. Smith a minor under the age of twenty one years ~
- (2<sup>d</sup>) Susan, now wife of Samuel Hinks -
- (3) Julia Ann, now wife of Charles M. Miller, ~
- (4) George A. Nixdorff ~
- (5) Lewis M. Nixdorff who married Eliza P. Miller ~
- (6) Henry M. Nixdorff ~

Your Complainants state that the said lands and tenements cannot be  
divided without loss or injury to the parties interested, and that it would be for  
the interest and advantage of all parties interested therein, that the said lands  
and tenements should be sold, under a decree of this Court, and the proceeds  
of sale divided among the parties according to their respective interests. ~

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