

G. Botter having no widow surviving him. The Bill further states, that letters of Administration upon the Personal Property of said Hezekiah Botter have been granted to the Complainant, who has taken possession of said Personal estate, but that said Personal estate is insufficient to pay the debts of said Hezekiah Botter, that said Personal estate ought to be applied to the payment of the debts of said Hezekiah Botter so far as the same will extend and that the deficiency in said Personal estate ought to be supplied by a sale of the said estate of said Hezekiah Botter, and that the creditors of said Hezekiah Botter are unable to obtain adequate relief against said real estate without the aid of this Court. The Bill further states that Complainant is a son of said Hezekiah Botter, that a large portion of the real estate of said Decedent will be consumed in the payment of the debts of said Decedent, that the balance thereof cannot be advantageously divided among the parties entitled thereto, and that it will be for the benefit and advantage of all parties interested, infants and adults that said real estate should be sold, and the proceeds thereof, after the payment of the debts of said Decedent be divided among the parties entitled in proportion to their respective rights. The Bill further states, that the real estate of the said Decedent situated in the State of Maryland consists of about One hundred and eighty seven acres of land in Washington County described in the Exhibits filed with the Bill and certain real estate in Frederick County, described in the Exhibits to the Bill, and certain other real estate in Frederick County described in the Exhibits to the Bill purchased by said Decedent from Robert A. Botter, the purchase money of which was paid in full by said Decedent in his life time but the title whereunto was not conveyed to said Decedent by said Robert A. Botter. The Bill is filed in behalf of all creditors of said Decedent who will come in and contribute to the expenses of this suit. The Bill prays for a sale of said real estate, and to appropriate the proceeds to the payment of the unsatisfied debts of said Decedent and to distribute the balance among the parties entitled thereto and for general relief.

It is therefore this 8th. day of November A.D. 1876. by the Circuit Court for Frederick County, as a Court of Equity and by the authority thereof ordered that the Complainant give notice by publication of this order in some newspaper printed in Frederick County, once a week for four successive weeks from to the eighth day of December A.D. 1876, of the substance and Object of this bill to the said non-resident Defendants, Stephen Balch and Matilda Balch his wife, Boston Marshall and Isabella Marshall his wife, Thomas Clagitt and Ann A. Clagitt his wife, and warn them, and each of them, to appear in this Court in person or by solicitor on or before the tenth day of March A.D. 1877, to show cause if any they have why the relief prayed should not be granted. Provided that if a copy of this order be personally served upon the said non-resident Defendants at least one month prior to the said tenth day of March A.D. 1877, then it shall not be necessary to publish this order.

Filed Nov. 9th, 1876. Thomas Torrey, Clerk.