

real estate, passed to the said Thomas M Wolfe, and Your complainant charge that the said John H. Hillary Jr is a non resident of the State of Maryland and doth not reside therein. To the deed therefore that the said defendants hereafter named may answer the several matters and things hereinbefore stated as fully, and particularly as if they were herein again repeated and the said defendants were thereunto specially interrogated, and that the mortgaged premises in so much thereof as may be necessary for the purpose may be sold for the payment to your complainant of the mortgage debt and interest due thereon and that your complainant may have such other and further relief as the nature and Equity of its case may require. May it please Your Honor to grant unto your complainant an order of publication giving notice to the said John H. Hillary Jr who is a non resident as before stated of the substance and object of this Bill and warning him to appear in this Court in person or by Solicitor on or before a certain day to answer the premises and show cause if any he has why a decree ought not to pass as prayed And also a writ of Subpoena against the said William J. Ross, Surviving Trustee Wellington Hammond Trustee Wellington Hammond and Mary E Hammond his wife John Hillary and Annie Hillary his wife J. Park Samison and Susan R Samison his wife and Franklin Hillary and Thomas M Wolfe Trustees of Frederick County, State of 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 therein and us in duty &c

Charles W. Ross
Solicitor complainant

Filed August 22 1878.

At the Request of Mrs J. V. Worthing Ross the following Deed is recorded April 18th. 1850.

Exhibit
No 2

1850 April 28th. Recd Stamp duty. Wm B. Syler. clk
This Indenture made this 16th day of April in the Year 1850 by and between John H. Hillary & Mary E Hillary his wife of Frederick County & State of Maryland of the one part & William J. Ross & Worthington Ross of the County and State aforesaid of the other part Witnesseth that the said John H. Hillary being indebted to sundry persons being desirous of discharging all his just debts, and whereas the said Mary E Hillary his wife has consented to unite with her said husband in the Execution of this conveyance and has agreed that her Estate situate in Montgomery County State aforesaid should be sold and the proceeds appropriated in discharge of the debts of the said John H. Hillary upon the condition that after all the just debts of the said John H. Hillary should be paid and the costs and Expenses of executing this Deed, that the remainder of the real and personal estate should be conveyed to a Trustee for the Trusts herein after described Now this Indenture Witnesseth that the said John H. Hillary & Mary E. Hillary his wife in consideration of the above recited premises was also of the further sum of Five Dollars to them in hand paid by the said William J. Ross & Worthington Ross at and before the