

further charges that the said James Elliott, at the time of his Death, was largely indebted and that, the personal Estate of said James Elliott, is wholly, insufficient for the payment of his debts and is insolvent and that it is necessary, that the real estate, aforesaid mentioned in these proceedings should be sold under a decree of Your Honorable Court, for the payment of the claim of Your complainant, and all other creditors of the said James Elliott after the payment of the mortgage debts aforesaid. And Your complainants further charge that, the Value of said real estate, is largely in excess of the Mortgage debts respectively, due thereon. And that it will be for the interest and advantage of the general creditors as well as the heirs at law of said decedent that a decree be passed for the sale thereof that there are three distinct separate pieces of Property and that such pieces of property is covered by separate and distinct Mortgages and that, the costs and Expenses of making Sale under the three separate and distinct Mortgages will greatly injure the general creditors of said decedent, as well as the heirs at law of the said decedent, To the end therefore that the defendants hereinafter named may answer the matters and things stated in the foregoing Bill of Complaint to the same as if they were herein again reported and they were thereunto specially interrogated - and that the real estate in the premises mentioned and described may be sold for the payment of the claim of Your complainant and of all the other creditors of the said James Elliott who may come in and contribute to the Expense of this Bill and the respective mortgage liens may be transferred to the proceeds of Sale of the respective pieces or parcels of land on which said Mortgage liens now rest, and may be paid out of the proceeds of the Sale of the respective pieces or parcels of land upon which the same are now specifically liens prior and before the claims of the other Creditors of the said James Elliott and according to their several and respective priorities and that Your complainant may have such other and further relief as the nature and Equity of their cause may require: - May it please Your Honors to grant unto Your Complainant the writ of Supplico against the said Adolphus Fearhake Jr. administrator of the goods Chattels &c of James Elliott, Adolphus Fearhake Jr & Agnes Fearhake his wife Charles Huston Elliott, The Frederick Town Savings Institution The Franklin Savings Bank of Frederick and Annie M. Keefer Commanding them to appear in this Court on some certain day, to be therein named to answer the premises and abide by and perform such decree as may be passed therein & as in duty.

Filed April 27, 1878.

Wm J. Ross  
Charles W. Ross  
Sol for Complainants

At the request James Elliott the following deed was recorded Sept. 27<sup>th</sup> 1855. Recd. \$100. Hamp. duty. For Evidence  
This Indenture made this 29<sup>th</sup> day of September in the year of our Lord