

at the time of the Execution of said deed was of extreme old age and was very greatly, inflected in body and mind by long and severe sickness and was induced to Execute, said deed by the over-
 powering influence of Dawson V. Hammond the Grantor named therein who was at the time the confidential agent, and advisee of said Tho^s. Hammond that said deed was and is fraudulent and void for all intents & purposes and does not, nor did operate to, revoke said last Will and Testament but said last Will is wholly, unaffected by said deed by reason of said deed being fraudulent void and of no effect as aforesaid and the respondents are entitled to their interests in said Real Estate, as devised by said Will wholly unaffected by said deed void and fraudulent, as aforesaid. These respondents admit that their rights to said Real Estate, as devised under said Will are subject to the rights of the creditors of said Thomas Hammond having just, and legal claims against said estate, but these respondents are advised that being specific devisees they are entitled to have the assets of said estate marshalled in their favor by having applied to the payment of said debts first the personal estate then the lands devised by said Will to be sold for the payment of debts, then the undivided lands of said Tho^s. Hammond and that the lands specifically devised are lastly liable for the payment of said debts. These respondents admit that said Thomas Hammond died some time in the month of June in the year 1874, and that said Will was duly admitted to probate, by the Orphans Court for (Frederick) County, then defendants further admit that said Thomas Hammond was largely indebted at the time of his death, and that such indebtedness exceeded the personal estate of said Thomas Hammond but they deny, that the legal subsisting claims against the Estate of said Thomas Hammond dec^d. exceed in amount what (consequently) he realized from the sale of the real estate of said Tho^s. Hammond devised for the payment of his debts and not, specifically devised by said last Will & testament, to the specific devisees therein named and they ask and insist that the assets of said estate shall be marshalled according to law and they claim the right in case the assets of said estate, first liable for the payment of said debts should not, be sufficient therefor to pay, their contribution share of the debts, then remaining unpaid and redeem their specific devise therefrom and reserving such right, they are willing a decree shall be passed for the sale of the real estate of said Thomas Hammond dec^d. These respondents admit they are in possession of the land devised to them, by said Will and that they have a value, interest therein under said Will. These respondents further admit that if said Tho^s. Hammond had died intestate, as to, the lands mentioned in said deed to Dawson V. Hammond then the parties described in said Bill would be the heirs at law of said Thomas Hammond together with, Nathan Hammond and Coroll Hammond

Petition of
 Record &
 Receiver for
 leave to
 Amend
 Bill of
 Complaint

Courts order

Amended
 Bill of
 Complaint