

No. 4680 Equity

that said claim amounts to the sum of two hundred and eighty one dollar and twenty four cents that on the seventh day of March in the year eighteen hundred and eighty one one William H. Hooper of Frederick County filed in the Clerk's Office of the Circuit Court for Frederick County a pretended Mechanics Lien for materials purchased by the said Herman S. Meyer of him to be used in the erection of said dwelling house, amounting to the sum of twenty dollars and fifty cents, a certified copy of which Mechanics Lien is recorded in the Mechanics Lien Booklet of the Clerk's Office of the Circuit Court for Frederick County is herewith filed as Exhibit No 5 to this Bill of Complaint; that on the seventh day of March in the year Eighteen hundred and eighty one one Daniel P. Whip of Frederick County filed in the Office of the Circuit Court for Frederick County, a pretended Mechanics Lien, amounting to the sum of twenty six dollars, for materials purchased of him by the said Herman S. Meyer to be used in the erection of the said dwelling house, a certified copy of which Mechanics Lien as recorded in the Mechanics Lien Booklet in the Office of the Clerk of the Circuit Court for Frederick County is herewith filed marked Exhibit No 6 to this Bill of Complaint; that on the twelfth day of March in the year Eighteen hundred and eighty one, a certain Charles W. Haller of Frederick County filed in the Office of the Clerk of the Circuit Court for Frederick County, a pretended Mechanics Lien, amounting to the sum of Thirty One dollars for work done by him for the said Herman S. Meyer in the erection of said dwelling houses a certified copy of which Mechanics Lien as recorded in the Mechanics Lien Booklet in the Office of the Clerk of the Circuit Court for Frederick County, is herewith filed as Exhibit No 7 to this Bill of Complaint. This Complainant advises your Honor that said Mechanics Liens have no foundation in law and that they are liens on said real estate or the building which was ^{being} erected, as aforesaid, and are mere clouds on the title.

Bill of Complaint

This Complainant further represents and charges that on the thirtieth day of December in the year Eighteen hundred and eighty this Complainant had issued out of the Circuit Court for Frederick County, a writ of Attachment for the above mentioned sum of two hundred and fifty dollars, due him, as aforesaid, against the goods and chattels, lands and tenements of the said Herman S. Meyer, he having absconded, which writ of Attachment on the said thirtieth day of December, A. D. 1880, was levied by the Sheriff of Frederick County on the lands and tenements above mentioned, as appears by the Schedule returned in Nos. 5 & 6 Originals February Term of the Circuit Court for Frederick County; and that on the twenty first day of February a Judgment of Contemnation was passed by the said Circuit Court for Frederick County in said case against the property attached towards satisfying the plaintiff the said sum of two hundred and fifty dollars, with interest from December the first in the year Eighteen hundred and eighty till paid, and the costs of suit, as appears by reference to a certified Copy of said Judgment herewith filed as Exhibit No. 8 to this Bill of Complaint.

This Complainant further represents and charges that the said Herman S. Meyer is insolvent in respect to any personal property, he having none, and that said Real Estate is insufficient to pay his debts, and this Complainant claims, which are a specific lien on said real estate, that it is all the Real estate the said Meyer had any interest in.

To the end, therefore, that the said Herman S. Meyer, and Margaret E. Meyer his wife, Benjamin F. Winchester, Joseph Rutzahn, and William H. Power, partners trading as Rutzahn & Power, William H. Hooper, Daniel P. Whip and Charles W. Haller, may answer the matters and things hereunto fore stated, and that the Real Estate described in Exhibit No. 1 to this Bill of Complaint may be sold under the decree of this Honorable Court to pay the above mentioned claims and indebtedness due this Complainant from the said Herman S. Meyer and that this Complainant may have such further or other relief in the premises as the nature of the case may require. May it please your Honor to grant unto your Complainant an order of

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