

No. 4737 Equity

Martha A. Mull and
George H. Mull her husband,
Mary A. Getzendanner
and Lydia A. Stone
Samuel Getzendanner

Bill in Equity

To the Honorable, the Judges of the Circuit Court for Frederick
County, sitting as a Court in Equity:-

The Bill of Complaint of Martha Ann Mull, and George H. Mull her
husband, Mary Ann Getzendanner, Lydia Ann Stone, Mortgagee, all of Fred-
erick County, in the State of Maryland, respectfully represents, unto your Honors,
that heretofore, to wit, on the nineteenth day of November, in the year Eighteen hun-
dred and fifty-five, a certain Samuel Getzendanner came into possession
in his own right and title of a certain lot of land situate and lying in said
County and State aforesaid, and which is more particularly described in a
deed from James H. Castle and his wife to said Samuel Getzendanner, dated
the 19th day of November, in the year, 1855, and recorded in Liber E. S. Number 8
folios 1858 1868, one of the Land Records of Frederick County, a certified copy
of which deed is herewith filed, marked Exhibit Number 1, which together
with all other exhibits your Complainants pray may be taken, as part of this their
Bill of Complaint, that on the fifteenth day of November in the year Eighteen
hundred and fifty eight the said Samuel Getzendanner, made and executed
to a certain George Smith, now deceased, of said County and State aforesaid
a certain deed of Mortgage for the purpose of securing and indemnifying
to him the payments of the sum of money therein mentioned; that on the tenth
day of April in the year Eighteen hundred and seventy six, a certain George Will-
iam Smith Executor of George Smith aforesaid, now deceased, assigned, transferred
and set over unto Sarah Getzendanner the said Mortgage, above referred to for value
received, a certified copy of the said Mortgage, and assignment is herewith filed as part
of this Bill of Complaint, marked Exhibit Number 2, which is prayed to be taken
as part of this Bill.

Your Complainants further shew unto your Honors, that the said Sarah Getzenda-
ner being so seized and possessed, as aforesaid she departed this life some time in
the year 1878, leaving a last Will and Testament dated the Eighteenth day of
July, in the year Eighteen hundred and seventy six, and recorded among the Records
of the Orphan's Court for Frederick County, a certified copy of said Last Will and
Testament is herewith filed, marked Exhibit Number 3, which is prayed to be
taken as part of this Bill of Complaint, and directing therein that all the benefit
accruing from the Mortgage, above described which she held should go to her three
children, Samuel Getzendanner, and Mary Ann Getzendanner and Lydia Ann
Stone, so long as they shall have a home together, and after the home should be broken
up, she then directed that the principal of said Mortgage should be equally di-
vided among her four children, the said Samuel Getzendanner, Mary Ann Getze-
danner, Lydia Ann Stone, and Martha Ann Mull. That said home has been and is
now broken up, that the said Samuel Getzendanner has been recently married, and
is now living, (at a distant place) together with his wife, apart from the home as designated
by said Sarah Getzendanner in her said last Will and Testament.

Bill of Compl't

Bill
Compl't