

No. 4411 Equity

to wit, on the seventh day of September, in the year eighteen hundred and seventy eight, placed upon record a deed executed by himself, on the eighth day of August A. D. 1878, conveying certain real estate therein described, to his wife Mary E. Oudorff, for certain pretended and simulated considerations therein set forth, and your Complainants file herewith, as part hereof a certified copy of said deed of conveyance, marked "Exhibit No. 7."

Your Complainants further state, that said James A. Oudorff has also lately sold, all, or nearly all his personal property, and that said deed conveys all the real estate, of which he was seized and possessed, and that he has thus sold, and conveyed all his property, of every kind, which could be subjected to sale by fieri facias, at the suit of his creditors.

Your complainants further state, that at the time of his making the said deed to his wife, the said James A. Oudorff was indebted to your complainants, as hereinbefore set forth, and was also largely indebted to other persons, and that he had not the means of paying his said debts apart from the property so conveyed by him to his wife; that the said conveyance was fraudulently made, not for bona fide, but for simulated and pretended considerations, and was made to hinder, delay and defraud your complainants and his other creditors, of their just and lawful debts, and especially for the purpose of hindering, delaying and defrauding your complainants in their actions, suits, debts and damages aforesaid, and of rendering their judgments thereon, and therefore fruitless when such judgments shall be obtained; and that said deed from said James A. Oudorff, to his said wife, is in prejudice of the rights of the complainants and the other subsisting creditors of said James A. Oudorff, and is therefore void; that said conveyance was made long after said suits were brought, and just prior to anticipated judgments therein, and that notwithstanding said conveyance, said James A. Oudorff still continues to live in (and in) and occupy said real estate, and to exercise acts of ownership over the same. All of which doings are contrary to equity and good conscience, and are fraudulent and void.

To the end therefore, that the said James A. Oudorff and Mary E. Oudorff, his wife, may answer the premises, and that the said deed from the said James A. Oudorff to the said Mary E. Oudorff, his wife may be declared to be void, and may be vacated and annulled, and that your complainants may have such other and further relief as their case may require, may it please your Honors to grant unto your Complainants the writ of subpoena, commanding the said James A. Oudorff and Mary E. Oudorff his wife, of Frederick County, to be and appear in this Court on some certain day to be named therein, to answer the premises, and to abide by and perform such decree as may be passed therein.

And as in duty bound

Filed Sept. 13, 1878

G. V. S. Levy  
John C. Motter  
James M. Sherry  
Solicitors for Complainants