

No. 4846 Equity

To the Honorable the Judges of the Circuit Court for Frederick County sitting as a Court of Equity

The Bill of Complaint of David E. Stem of Frederick County, who filed this bill as well for himself as all other creditors of William Hill late of Frederick County decd., who shall come in and contribute to the expense of this suit, respectfully shows unto your Honors that said William Hill died sometime in the year Eighteen hundred and Eighty two leaving at the time of his death indebted to your Complainant by his single bill, dated the 26 day of February A.D. 1882 payable to your Complainant one day after date for the sum of twenty one & ²⁰/₁₀₀ Dollars as will appear by said single bill herewith filed marked Exhibit No. 1. and which with all other Exhibits herewith filed is prayed to be taken as part of this bill of Complaint as fully as if here inserted in words and figures; that said indebtedness has never been paid; that said William Hill died leaving a last will and Testament which has been duly admitted to probate by the Orphan's Court for Frederick County, a copy of which is herewith filed marked Exhibit No. 2. whereby he devised all his personal property to his widow Mary J. Hill and also devised his real estate to her for life or widowhood with direction that after her death the same should be sold and the proceeds be equally divided among his children, that letters Testamentary have been granted to W. H. Long the Executor named in said will appear by a certificate filed herewith marked Exhibit No. 3, that the personal estate of said W. Hill is very small and insignificant and largely insufficient to pay the debts of said William Hill and it will be necessary to sell the real estate to satisfy and discharge said debts; that said William Hill died seized and possessed of a tract of land, with improvements thereon situated in Frederick County, containing about twelve acres and which is described in three several deeds of Conveyance certified copies of which are filed herewith marked respectively Exhibits Nos. 4, 5 & 6. That said William Hill died leaving said Mary J. Hill as his widow and Nancy Griffin wife of James Griffin and George Hill who is married to Nancy Hill his wife as his only children, who together with Henry Pelly who is a son of Rebecca Pelly a daughter of said William Hill decd., and who died before her said father are the only heirs at law of said William Hill decd. - that said Mary J. Hill & W. H. Long Executor live in Frederick County and said James Griffin and Nancy Griffin his wife and George Hill and Nancy Hill his wife reside in Baltimore City and said Henry Pelly who is an infant under twenty one years of age is a non resident of the State of Maryland and his whereabouts are unknown to your Complainant. And your Complainant is advised he is entitled to have said real estate or so much thereof as may be necessary sold for the payment of your Complainant's claim and the other just debts of said William Hill decd. In tender consideration whereof and for that your Complainant is remediless in the premises by the strict rules of the Common Law and relievable only in a Court of Equity where matters and things of this nature are properly cognizable. To the end therefore that the said Mary J. Hill, William H. Long Executor, James Griffin and Nancy Griffin, his wife, George Hill and Nancy Hill his wife, and Henry Pelly may answer fully and particularly the matters and things herebefore stated and that the said real estate or so much thereof as may be necessary may be sold by a Trustee to be appointed by your Honorable Court and that your Complainant may have all such other and further relief in the premises as the nature of the Case may require and to your Honors shall seem just, May it please your Honors to grant to your Complainant the State of Maryland writ of Subpoena in the usual form directed to said Mary J. Hill, William H. Long Executor, James Griffin and Nancy Griffin his wife, and George Hill and Nancy Hill his wife, commanding them to be and appear in your Honorable Court on some certain day to be therein named to answer the premises and to abide by and perform such order or decree as may be passed therein, and may it also please your Honors to grant to your Complainant an order of publication against said Henry Pelly giving him notice of the object and substance of this bill and warning him to be and appear in your Honorable Court on some certain day to be therein named