

No. 4921 Equity

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In the Circuit Court for Frederick County
Thomas W Fisher
Plaintiff

vs
H Elizabeth Farr and
Thomas W Fisher and Anna
W Fisher his wife

Defendants
To the Honorable Judges of said Court:

Your Orator, Complaining, says

1. That a certain John F Simmons late of Frederick County deceased was in his life time indebted unto your orator in large sum of money to wit, in the sum of Five hundred dollars for money loaned by your Orator to said John F Simmons and for money paid by your Orator for said John F Simmons at his request as will appear by a memorandum account herewith filed marked Exhibit A, and which is prayed to be taken as a part hereof as fully as if herein at large in words and figures set forth
2. That said John F Simmons departed this life intestate a few months ago possessed of some real estate situate in Frederick County Maryland, but owning no personal property of any description whatever, and that there is no personal estate out of which the debt due to your Orator can be paid.
3. That by reason of there being no personal estate belonging to the said John F Simmons his real estate has become and is liable to be sold for the payment of his debts
4. That said John F Simmons left surviving him as his only next of kin and heirs at law the said H Elizabeth Farr, a daughter, and the said Anna W Fisher a daughter and the wife of your Orator, and upon his death his real estate herein after more fully described descended to and vested in the said H Elizabeth Farr and the said Anna W Fisher.
5. That the said H Elizabeth Farr is a widow and is now incompetent and is now an inmate of Spring Grove Insane Asylum in Baltimore County Maryland and that your Orator is her committee by appointment of this Honorable Court heretofore made as appears by a certified copy of the order or decree passed in the Cause wherein she was declared to be insane, herewith filed and marked Exhibit B, and prayed to be taken as a part hereof as fully as if herein at large in words and figures set forth
6. That the said John F Simmons died intestate as aforesaid and possessed of the following real estate viz: a lot and dwelling house situate in Urbana in Frederick County Maryland which was conveyed to him by Henry Mo Kridoff by deed dated on or about June 9 1866 a certified copy whereof marked Exhibit C is herewith filed and prayed to be taken as a part hereof as fully as if herein at large set forth: also about thirty acres of mountain land lying in said County and being part of a tract of land conveyed to him on or about October 21 1845 by deed by Henry Scholl, a certified copy whereof marked Exhibit D is herewith filed and is prayed to be taken as a part hereof as fully as if herein at large set forth. the part of said tract owned by said John F Simmons at the time of his death being the portion thereof remaining after subtracting the several parcels heretofore conveyed by him in his life time to Samuel Hicks by deed recorded in Liber S. M. L. C. No. 2, folio 630. to Daniel Baker by deed recorded in Liber