No. 5272 Equity

and the execution of the bond of the said Trustee in the respective Insolvent Cases, - all of the title and interest of the said respective Insolvents, became vested in the said Charles W. Rose further benefit of the Creditors of the said respective Insolvents.

That owing to the Several and respective interests in the Lands aforesaid it will be difficult to make a Sale of the Same without the intervention of a Court of Equity - That all of the respective interests of William H. Boteler and Lingan Boteler by virtue of the laws of the State of Maryland is vested in Charles W. Ross Trustee aforesaid. That the interest of the said Eliza A. Boteler is bound by the Mortgages of the said Complaint Lewis M. Nidroff Trustee and of William Graham - and will be insufficient to pay the Sum or of her part of the Mortgage aforesaid - the Sum of Ten thousand Dollars and in and about two years of interest thereon in arrear - that the time limited for the payment has long since passed and that payment has been demanded of said Mortgagors - That it will be to the interest of all the Creditors of the said Lingan Boteler William H. Boteler and of Eliza A. Boteler, Owing to the Complications of the title of the said Lands that the same be sold under a Decree to be passed by your Honorable Court - To that a title free clear and discharged of the respective interest and Claims of all parties may be given to the purchaser under a Decree for sale from Your Honorable Court. And also that multiplicity of suits and proceedings May be prevented to the Great injury of all parties interested in the Sale of said Lands - To the end therefore that the defendants May Answer all the charges and allegations in said Bill of Complaint Contained.

1st And - that a Decree May be passed for a Sale of the Said Lands - And that 2d the Proceeds of the Sale of said Court May be distributed among the respective line Creditors, According to the respective priorities of their lines - And that Your Complainants may have such further and other relief as the Nature and Equity of their case may require - May it please Your Honors to grant unto Your Complainants the Writ of Subpoena, against Eliza A. Boteler, William Graham, The Frederick Town Savings Institution - Ann Claggett Samuel Claggett & Charles W. Rose Admrs. of the Goods Chattels &c of Richard C. Martin, John H. Hilleary, Trustee and Margaret Boteler all of Frederick County, Commanding them to appear in this Court on some certain day to be named therein to Answer the Charges and Allegations in said Bill of Complaint Contained and abide by and perform such Decree as may a pass therein and as in duty &c.

Charles W. Rose
Atty. for Plff.

Exhibit No. 1.

At the request of Lingan Boteler & others the following Deed was recorded October 13th. 1866 -

Stamp 14.80
Rec. 14.80

This Deed made this sixth day of October in the year One thousand eight hundred and sixty six by me Thomas H. Claggett and Lela