No. 5228 Equity

Catharine Smith Pltff.
vs
Susan C. Smith, Charles L. Smith & George Smith — Defendants

No. 5228 Equity —
In the Circuit Court for Frederick County,
Sitting Court of Equity

To the Honorable the Judges of said Court, Your Orator who sues as well for Herself as all other Creditors of Charles L. Smith late of Frederick County, deceased, who will come in and contribute to the expenses of this suit, Complaining says:

Bill of Complaint

1. That a certain Charles L. Smith late of Frederick deceased was in his life time indebted unto your Orator Catharine Smith for money loaned during the years Eighteen Hundred and eighty and eighty-one, amounting to eighty Dollars. In amounts and at times as follows, March 25 Eighteen Hundred and eighty forty five dollars, July 29th of the same year twenty five dollars. Sept 2nd eighteen hundred and eighty one ten dollars, a Copy of which is filed herewith marked Exhibit No. 1.

2. That said Charles L. Smith being indebted as aforesaid unto your Orator and also divers other persons, on various sums of money and leaving real estate of considerable value situate in Frederick County and little or no personal property whatever departed this life in the latter part of the year eighteen hundred and eighty three.

3. That Susan C. Smith the wife of Charles L. Smith deceased an adult resident of Frederick County, George Smith & Charles F. Smith infant residents of Frederick County sons of the said Charles L. Smith deceased and heirs of the property hereinafore to be described of which the said Charles L. Smith deceased died seized and also the defendants to this suit.

4. That whatever personal property if any was left by said Charles L. Smith was of little or no value and is far from being sufficient to discharge all the debts due and owing by the said Charles L. Smith at the time of his death, and that said personal property if any exists ought to be applied to the payment of the claim of your Complainant and of other creditors of the said Charles L. Smith as far as the same will extend and that any deficiency in the said Personal Property ought to be supplied by a Sale of the Real Estate of their aforesaid Debtor.

5. That said Real Estate is described in a Deed from C. V. S. Levy and John C. Motter as Trustees to the said Charles L. Smith dec'd A Certified Copy of which is filed herewith as a part hereof marked Exhibit No. 2.

Your Petitioner prays the following relief:—

1. That an account may be taken under the direction of this Court of the said debts as aforesaid due your Orator and of all other debts which were owing by the said Charles L. Smith at the time of his death.

2. That the Personal Estate if any may be applied in a due course of Administration on payment of the debts of the said Charles L. Smith dec'd to your Orator and all other Creditors who may come in and share the expenses of this suit.

3. That such Real Estate or so much thereof as may be necessary for the purpose may be decreed to be sold for the payment of