

No 5324 Equity.

Joseph Fogle - Plaintiff -

William Mort, Administrator of Mary Fox, deceased, William Mort and Susanna Mort, Frank Mort, and Margaret Mort, Gemina Rodgers, and William Rodgers, Sarah Hanly, and Jacob Hanly, Willard Fox, and William H. Fox, Henry Boozer, and Arthur Boozer, Ella Boozer, and Arthur Boozer, Ella Boozer, and Annie Boozer, and Mary Booker, children of Henry Boozer and, all Infants under twenty one years of age

In the Circuit Court

for

Frederick County

Sitting

in a Court of Equity.

To the Honorable, the Judge of the said Court -

Bill

Your Orator Joseph Fogle who sues, as well for himself, as for himself, so far, all other creditors, of Mary Fox, late of Frederick County - deceased, who will come in, and contribute to the the expenses of this suit, complaining, says -

First - That the said Mary Fox, was in his lifetime, indebted unto your orator Joseph Fogle in the sum of Sixty Six and Two dollars, on two joint and several single Bills executed, on the 4th of May 1855, by John H. Fox, Mary Fox, and her husband William H. Fox for the sum of thirty three and Two dollars each payable in two and three years from date, without interest from date; that the first of said bills is overdue, and unpaid, and the second of said bills is not yet due, and is unpaid, all of which will fully appear from said Single Bills, which are herewith filed, as parts hereof marked respectively "Plaintiffs Exhibits A. and B."

Second - That the said Mary Fox, being so indebted, as aforesaid unto your Orator, and being also indebted unto other persons, and having Real and Personal Property, situated and in Frederick County, departed this life intestate leaving her husband William H. Fox, and the following children surviving her, viz: William Mort who married Susanna Mort, Frank Mort who married Margaret Mort, Gemina Rodgers who is married to William Rodgers, Sarah Hanly who is married to Jacob Hanly, and Willard Fox. That Anna, a daughter of said Mary Fox, intermarried with Henry Boozer, and departed this life intestate leaving her husband Henry Boozer and four children surviving her, viz: Arthur, Anna, Ella, and Mary Boozer, that all of said children, are infants under twenty one years of Age.

Exhibit A.

Third - That the said William Mort, Susanna Mort, Gemina Rodgers, William Rodgers, Sarah Hanly, Willard Fox, and Henry Booker, and said children Arthur, Annie, Ella, and Mary Boozer, said said William H. Mort are all residents of Frederick County, Maryland, that Frank Mort and Margaret Mort, are residents of Carroll County, Maryland.

Fourth - That Administration has lately been granted, on the Personal Estate of Mary Fox, by the Orphans Court, of Frederick County, to William Mort of said County, who by virtue thereof has possessed himself of the personal Estate of the said Mary Fox, as will fully appear from a certificate of Settles of Administration granted on said Estate and herewith filed, as part hereof, marked "Plaintiffs Exhibit C."

Exhibit B.

Fifth. That the Personal Estate of the said Mary Fox, in the hands of