

No 5383 Equity

That the said Oliver A Homer and Winfield G Homer, administrators, as aforesaid have wholly failed to pay any part of the aforesaid claim of the plaintiff or to render unto him any account of the aforesaid personal Estate in their hands -

The Bill Prays for the following Relief -

- (1) That an account may be taken under the direction of the Court of the said debts so as aforesaid, due the Plaintiff, and of all other debts which were owing by said intestate at the time of his death, and which still remain unpaid, and also of the Personal Estate and effects of the said intestate received by, or for the use of the said Oliver A. Homer and Winfield G. Homer, as Administrators aforesaid
- (2) That the said Personal Estate may be, applied in due course of Administration in payment of the debts of the said intestate, due to the Plaintiff and all other creditors who may contribute to the expenses of this Suit
- (3) That the said Real Estate, of the said David W. Homer, deceased, or so much thereof as may be necessary for the purpose, may be sold for the payment of so much of the aforesaid debts, as may remain unsatisfied by the application of the Personal Estate, as aforesaid, -
- (4) For General Relief (5) That an Order of Publication may issue against the Non-Resident Defendants - (6) That Process may issue against the Resident Defendants.

It is thereupon this 30th day of January A. D. 1888, adjudged Ordered, and decreed by the Circuit Court for Frederick County sitting in Equity, that the Plaintiff cause a copy of this Order, together with a statement of the object and substance of the Bill to be inserted in some Newspaper published in Frederick County, once a week, in each of four successive weeks before the twelfth day of March next, giving Notice to the non-resident Defendants in said Bill, and warning them and each of them to be and appear in this Court in person or by Solicitor, on or before the fifteenth day of June A. D. to show cause, if any they have, why a decree should not pass as prayed

W. Irving Carson
Clerk of the Circuit Court for Frederick County.

A copy of aforesaid "Order of Publication" is herewith filed, with the the following admissions of Defendants -

We, John S McCullough and Sarah McCullough, his wife, hereby admit that the above copy was personally served on us and each of us, on Monday the 20th day of February A. D. 1888, at the hour of 8 O'clock A M, and at our residence in Newville, in Cumberland County in the State of Pennsylvania, and

Witness -
John S McCullough
Sarah McCullough

We, Daniel W. Homer and Medora A. Homer, his wife, hereby admit that the within copy was personally served on us and each of us on Wednesday the 15 day of February, A. D. 1888, at the hour of 11 O'clock A M and at our residence in Cumberland Township, in Adams County in the State of Pennsylvania.
Witness - M. D. Otter - - - - - David W. Homer
Medora A. Homer.

Answer of
O. A. Homer
as Adm. as
Atty - in fact
and in due
course of
law

Answer of
Anna W. Homer