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No. 4454 Equity.

as his case may require.

May it please Yr. Honors to grant unto yr Orator the writ of subpoena of Yr. Honorable Court, directed to said Joshua J. Zimmerman, Trustee under the will of Nicholas Holtz, commanding him to be and appear in Yr. Honorable Court upon some day in said Writ to be named, to answer the premises, and show cause, if any he has, why a decree ~~ought~~ should not pass as prayed

And as in duty bound &c.

Wm. P. Manlaby Jr.
Solicitor for Complt.

Filed Feby. 12. 1879.

Exhibit A.

At the request of J. Wm Hargate the following Assignment is recorded Sept. 19. 1878.

Know all men by the presents that I, Francis M Fraley, of Frederick County, State of Maryland, for and in Consideration of the sum of twelve hundred and fifty dollars, to me paid by J. Wm Hargate of Frederick County, and State of Maryland, (the receipt of which is hereby acknowledged) have granted, sold, assigned, transferred, and by these presents, I the said Francis M Fraley, do hereby absolutely grant, sell, assign and transfer to the said J. Wm Hargate, all my right, title and interest in the property mentioned in the last will and testament of Nicholas Holtz, and by said will given to Mary Ann Fraley so long as she shall live. And I do also hereby grant, sell, transfer and assign all my interest in Mary Ann Fraley's personal property

In witness whereof, I hereunto set my hand and affix my seal on this 2d day of September A.D. 1878

Francis M. Fraley (Seal)

Test. Robt Stokes

Which is thus Endorsed, viz—

State of ~~Frederick~~ Maryland, Frederick County sect—

I hereby certify that on this 2d day of September in the year 1878, before the subscriber, a Justice of the Peace of said State, in and for the County aforesaid, personally appeared Francis M Fraley and acknowledged the aforegoing instrument of sale to be his act.

And at the same time appeared J. Wm. Hargate and made oath in due form of law that the consideration in said instrument of sale is true and bona fide, as therein set forth.

Robt. Stokes J.P.

Certificate attached of Thomas Gorsuch, Clerk of the Circuit Court for Frederick County, under seal of said Court, that the foregoing is a true Copy of the original instrument of writing recorded in Liber T.G. No. 10. folio 274 one of the Land Records of Frederick County—

Certificate dated February 12. 1879.

(Filed Feby. 12. 1879)