No. 5567 Equity

of said intestate received by or for the use of said administratrix and that said personal estate may be applied in a due course of administration in payment of the debts of said intestate due to your orator and all other creditors who may come in and contribute to the expenses of this suit and that the aforesaid real estate or so much thereof as may be necessary for the purpose may be decreed to 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.

2. That your orator may have all such further and other relief as he may be entitled to.

May it please your Honors to grant unto your Orator an order of Publication giving notice to the said Henry Clay Delaplane and John William Delaplane and Mary Delaplane his wife who are adult non-resident defendants not residing in the State of Maryland but said to reside in the State of Virginia of the substance and objects of this Bill and warning them to be and appear in this Court in person or by solicitor on or before some certain day to be named therein to show cause if any they have why a decree should not pass as prayed and also the writ of sub poena directed to the said Mary L. Delaplane administratrix of the goods, chattels &c. of Hezekiah Delaplane, deceased, Elizabeth Delaplane Eza J Rover and Adam Rover her husband, Belle V. Delaplane, Laura K. Delaplane, Mary B Delaplane, J William Payne and E Marshall Gilbert all of whom are adults residing in Frederick County commanding them to be and appear in this Court on some certain day to be therein named to answer the premises and abide by and perform such decree as may be passed thereon.

And as in duty &c

Charles V. S. Levy
Solicitor for Plaintiffs

Filed May 22. 1889.

Exhibit No. 4

At the request of Hezekiah Delaplane
the following Deed was recorded August 6th 1875.

This Deed made this twenty fifth day of June in the year of our Lord one thousand Eight hundred and seventy five by and Joshua Delaplane & his wife Charlotte Delaplane, Ephraim Delaplane & his wife Margaret Delaplane James M Delaplane & his wife Alice A Delaplane and William H Delaplane & his wife Emeline Delaplane of Frederick County and State of Maryland (being legal heirs and lawful representatives of Joseph Delaplane of said County deceased) of the first part and Hezekiah Delaplane of the County and State aforesaid of the other part, Witnesseth that in consideration of the sum of six thousand dollars, to the said parties of the first part do grant unto the said Hezekiah Delaplane all our individual rights and interests in and to the following described parcels of land including part of "Millers Choice" of the Resurvey on "Welsh Cabbin" and "White Oak Bottom" lying contiguous to each other and in Frederick County aforesaid and contained within the following metes and bounds. Beginning for the outlines to include the same at a stone in hollow near branch being the end of the second line for