

No. 5958. Equity.

to the said body Corporate in order to effectuate the intention of the parties to said deed, some of the said Directors or Trustees having refused to unite in a deed for that purpose unless paid the amounts they claim said body Corporate is indebted unto them.

17. That said land has depreciated in value and cannot be sold for a price that will pay off the indebtedness of said body Corporate or for as much as said land originally cost, but that the same should be sold and the proceeds of sale divided among those entitled thereto according to their respective rights.

18. That the defendants all reside in Frederick County except J. Taylor Motter who resides in the District of Columbia and William J. Guthrie who resides in the State of Missouri.

To the end therefore

- (1) That the said real Estate may be declared to be the property of the said body Corporate.
- (2) That said body Corporate may be legally declared to be insolvent and adjudged to be dissolved and the affairs of the same wound up.
- (3) That a decree may be passed for the sale of said real Estate excepting all such portions thereof heretofore devoted to or sold for burial purposes by a trustee or Receiver to be appointed by your Honorable Court.
- (4) That the proceeds of such sale may be divided among the parties entitled thereto according to their respective rights and interests.
- (5) That your orator may have such other and further relief as his case may require.

May it please your Honors to grant unto your orator the writ of subpoena directed to the said The Mountain View Cemetery of Emmittsburg, Frederick County, Maryland, a body Corporate, and to the said Henry Stokes, Michl A. Lough, Lewis M. Motter, Isaac P. Orman, Lewis A. Ballinger and Jacob L. Hoke all residing in Frederick County, commanding them to be and appear in this Court on some certain day to be named therein and answer the premises and abide by and perform such decree as may be passed therein and also to grant unto your orator the order of publication giving notice to the said J. Taylor Motter residing in the District of Columbia and to the said William J. Guthrie residing in the State of Missouri, who are both non-residents of the State, of the substance and object of this bill and warning them to appear in this Court, in person or by solicitor, on or before a certain day to be named therein, to show cause, if any they have, why a decree ought not to pass as prayed. Also as in duty bound etc.

Cyrus L. Rowe
Solicitor for Plaintiff.

Filed May 23rd 1892.

Exhibit A

Exhibit