

No. 3958. Equity.

should be in said body Corporate and not in said Directors as Trustees.

16. That unsuccessful Efforts have been made to have the title to said land conveyed by said Directors as Trustees 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 execute a deed for that purpose unless paid the amounts they claim said body Corporate is indebted to 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 P. Guthrie who resides in the State of Missouri.

The Bill then prays

(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 the Court.

(4) That the proceeds of such sale may be divided among the parties entitled thereto according to their respective rights and interests.

(5) For general relief.

For subpoenas against the resident defendants.

For an order of publication against the non resident defendants, It is therefore adjudged and ordered this 23rd day of May A. D. 1892, by the Circuit Court for Frederick County, sitting as a Court of Equity, that the plaintiff cause a copy of this order together with a statement of the substance and object of this bill to be inserted in some newspaper published in said Frederick County, once a week in each of four successive weeks before the twenty seventh day of June 1892, giving to said non resident defendants of the substance and object of this bill and warning them to be and appear in this Court, in person or by solicitor, on or before the thirtieth day of July, 1892, to show cause, if any they have, why a decree should not pass as prayed.

John E. Jordan
Clerk of the Circuit Court for Frederick County.

Filed May 23rd 1892

The Committee of the Chronicle, Committee of the Chronicle, a newspaper published in Frederick County, once a week for four successive weeks prior to the twenty seventh (27) day of June 1892.
Paul Motter, Manager
per J. O. Johnston

Answer of Defendants

Answer of Michael P. William J.