

No. 6747 Equity.

Bill of complaint

same is now due and payable and the interest on said claim began and commenced to run from about the 20th day of January A.D. 1885.

17th That the amount now due your Petitioner under said assignment to him by the said William E. A. Hagan out of the real estate devised to the said Jolua Hagan in the manner and form in said Testator's will provided, is the said sum of one thousand dollars together with the interest thereon from two years after the death of the said Jolua Hagan deceased which occurred about the 20th day of January A.D. 1883, to the time of the filing of this Bill,

18th That as according to the provisions of said Codicil before mentioned the said bequest of one thousand dollars to the said William E. A. Hagan was made a lien and charge upon the real estate devised to the said Jolua C. Hagan the Plaintiff in this cause and your Petitioner is entitled to have the same paid together with all the interest that is due thereon from said January 20th A.D. 1885 up until the filing of this Bill of said Real Estate.

19th That part of said real estate upon which your Petitioner's said claim is a lien under the provisions of the said Codicil aforesaid is the farm mentioned in the 4th paragraph of this bill again mentioned in paragraphs 9 and 10 and which contains 79 Acs. 2 Roods and twenty four perches of land as mentioned in paragraph 11.

20th That your Petitioner is entitled to have the amount due him under the assignment before mentioned out of the proceeds of sale of said farm, it being sufficient to satisfy his said claim and more than sufficient.

21st That the said real estate is not susceptible of division among the owners of said real estate, and that it could not be divided without great loss and damage, nor that it could be reduced in acreage by having a portion of it sold to satisfy your Petitioner's claim without great loss and damage, but that it would be to the best interest and advantage of all the parties in interest to have the same sold and the proceeds arising therefrom after the payment of all costs, charges and expenses and the payment of the amount due you your Petitioner to be brought into your Honorable Court subject to the order that may be passed by your Honorable Court.

And the Plaintiff your Petitioner prays for the following relief:

1st That a decree may be passed by your Honorable Court direct the real estate to be sold mentioned in this Bill of complaint and more particularly described in Exhibit No. 2 to said Bill subject to the life estate of the said Jolua C. Hagan in said land and subject further to the lien of One thousand dollars which the said Jolua C. Hagan holds in Trust for the said Elizabeth Smith now Elizabeth Pratt according to the terms and provisions of the codicil to the last Will and testament of the said Jolua Hagan deceased and after the payment of the amount due your Petitioner under the assignment to him by the said William E. A. Hagan and of all costs charges and expenses attending said sale the proceeds to be divided among the owners thereof.

2nd That a summons may be issued in the usual form directed to the Sheriff of Baltimore City, directing him to summon the said defendants in this cause who are all residents of said Baltimore City, Maryland, in order that they may answer the matters and things stated in the Bill of Complaint of the Plaintiff in this cause, commanding them to be and appear in your Honorable Court on some certain day to be mentioned therein either in person or by Solicitor to show cause if any they have why a decree should not be passed

Handwritten notes in the left margin, including: "Bill of complaint", "same is now due and payable", "17th That the amount now due your Petitioner", "18th That as according to the provisions of said Codicil", "19th That part of said real estate upon which your Petitioner's said claim is a lien", "20th That your Petitioner is entitled to have the amount due him under the assignment", "21st That the said real estate is not susceptible of division among the owners of said real estate", "And the Plaintiff your Petitioner prays for the following relief:", "1st That a decree may be passed by your Honorable Court", "2nd That a summons may be issued in the usual form directed to the Sheriff of Baltimore City, directing him to summon the said defendants in this cause who are all residents of said Baltimore City, Maryland, in order that they may answer the matters and things stated in the Bill of Complaint of the Plaintiff in this cause, commanding them to be and appear in your Honorable Court on some certain day to be mentioned therein either in person or by Solicitor to show cause if any they have why a decree should not be passed"