Bill of Complaint

No. 6222 Equity.

Jacob B. Tyson, Nathan S. Tyson, and Henry B. Tyson, Copartners, trading as J. Tyson and Son and Marion S. Michael,

vs.

The Unknown Heirs of Charles H. Duncan, deceased,

No. 6322 Equity.

In the Circuit Court for Frederick County Md. as a Court of Equity.

To the Honorable the Judges of said Court:-

The Bill of Complaint of Jacob B. Tyson, Nathan S. Tyson and Henry B. Tyson, Copartners trading in the firm name of J. Tyson and son and Marion S. Michael of Frederick County in the State of Maryland Plaintiffs for themselves and as well also all other creditors of Charles H. Duncan late of said County, deceased who may come in and contribute to the expenses of these proceedings against the unknown heirs of Charles H. Duncan late of said Frederick County deceased Defendants in your Honorable Court exhibited respectfully represents unto your Honors:-

1st That Charles H. Duncan late of Frederick County in the State of Maryland died intestate in or about the month of December in the year Eighteen Hundred and Ninety three seized and possessed of certain valuable real estate situated in or near the town of Brunswick in Frederick County, consisting of a lot of ground with dwelling house &c, thereon being the same land which was conveyed to him by deed from the Real Estate Improvement Company of Baltimore City dated the 30th day of March A.D. 1892 and duly recorded among the Land Records of said County in Liber J.W.J. No. 1 folio 625 and which is fully described therein as will appear by a duly certified copy of said Deed herewith filed as part hereof and marked Exhibit No. 1.

2d. That said Charles H. Duncan was at the time of his death an Adult unmarried and resident of Frederick County aforesaid and that it is believed he left surviving him relatives who inherited said real estate subject to the payment of his debts but their names and residences are unknown to your orators and they are believed to be nonresident of this State and resident of the State of Virginia.

3d. That your orators said Tyson copartners as aforesaid are the owners and holders of a certain promissory note made and signed by said Charles H. Duncan in his life time dated November 1892 for Two Hundred and Thirty Seven dollars, payable to the order of one John C. Burch twelve months after date value received with interest which said promissory note was duly assigned to your said orators by endorsement by said Burch before its maturity for value of which said Charles H. Duncan had notice but did not pay the same nor any part thereof nor has said note nor any part thereof been paid by said Burch or any one else but the whole amount thereof with the interest accrued thereon is still due owing and unpaid that after the maturity of said note said Plaintiffs entered suit thereon in the Circuit Court for Frederick County, Md. but said Duncan died without being summoned in said suit as will appear by said note and the probate thereto and a copy of the docket entries in relation to said suit herewith filed as part hereof and marked respectively Exhibits No. 2 and 3. That your Orator Marion S. Michael is the holder of a promissory note made by said Charles H. Duncan dated May 10th 1893 for Two Hundred and Seventeen dollars payable to the order of said John C. Burch six months after date for value received with interest which said note was duly assigned by said Burch by endorsement before its maturity