provisions contrary to the true intent of the parties grantors thereto ought also to be declared void - Your orators further allledge that they are ignorant of the value and extent of the estate of said John Diffenderffer deceased and believe that the personal estate of said deceased will be inadequate to the payment of his debts and that his executors ought to be compelled in their answer to this bill, to give an account of said estate and of what the same consists. All which actings pretences and refusals herein before set forth are contrary to equity and good conscience and tend to the manifest wrong and injury of your orators in the premises - In consideration whereof and for as much as your orators are remediless in the premises save by the aid and interposition of a Court of Equity where matters of this nature are properly cognizable and relievable. - To the end therefore that the said Catharine R. Diffenderffer widow of said deceased, John F. Diffenderffer, Augustus Diffenderffer James T. Diffenderffer Rosalba Diffenderffer and Octavius Diffenderffer his children by the said Catharine R. Diffenderffer - Charles Rogers Diffenderffer one of the Trustees named in the deed of pretended marriage settlement - Jacob Boyer and Michael Diffenderffer, executors of the last Will and testament of said John Diffenderffer and said Jacob Boyer, also one of the Trustees under said deed of pretended marriage settlement, may upon their several and respective corporal oaths to the best and utmost of their several and respective knowledge, remembrance and belief true, full and perfect answers make to all and singular the matters aforesaid and that as fully and particularly as if the same were here repeated and they and every of them distinctly interlogated thereto - and _____

That the said deed of 21st. December in the year eighteen hundred and thirty four, conveying to your oratrix the house and lot in Gay street may be declared void and voided - That the deed of trust or marriage settlement of 18th February 1835 may be so modified as to carry into execution the wishes and understanding of the grantors thereof, as the same existed previous to the execution of said deed - That said release of 2d January 1835 may also be decreed to be given up to be cancelled - That the defendants may account to your orators for the amount of both principal and such interest as under the circumstances ought to be allowed, to which your oratrix at the date of her intermarriage with her now husband would have been entitled had a fair and just settlement been made with her - That the defendants may be compelled to set forth in their answer an account of all monies received by said John Diffenderffer, deceased to the use of and as Trustee for your oratrix - That the amount due to your oratrix when ascertained may be paid into this Court to be invested under the direction of your Honors and settled in trust according to the original intention of your orators - That an account may be taken of the personal estate and effects of said John Diffenderffer deceased and if the same be found insufficient for the payment of the debts of said John and of the claim of your orators that the real estate of said Testator may be sold under the direction of your Honors and the proceeds of such sale may be applied to the payment of the just claim of your orators - That some proper person may without delay be appointed by this Honorable Court to receive the rents and profits of the house and lot in Gay Street aforesaid and to hold the same subject to the order of this Court - And that your orators may have such further, or such other relief in the premises as the nature and circumstances of this case may require and as to your Honors may seem meet and according to equity and good conscience - May it therefore please your honors to grant unto your orators the writ of subpoena to said

Catharine R. Diffenderffer, John F. Diffenderffer, Augustus Diffenderffer James T. Diffenderffer Rosalba Diffenderffer, Octavius Diffenderffer, Charles Rogers Diffenderffer Jacob Boyer and Michael Diffenderffer, all of the City of Baltimore to be directed commanding them and each of them under a certain penalty and on or before a certain day therein to be specified to be and appear before this Honorable Court by solicitor or in person, to answer the aforegoing bill and to abide by perform and fulfill such order and decree in the premises as your Honors may be proper to pass and that the said infant children John F. Diffenderffer, Augustus Diffenderffer James T. Diffenderffer - Rosalba Diffenderffer and Octavius Diffenderffer may by their Guardian for that purpose to be appointed answer the premises in the form prescribed by law and the rules of this Honorable Court and as in duty bound they will ever pray &c.

Charles F. Mayer } Solicitors for
William S. Ward } Compl.ts

City of Baltimore Set. - On this 15th day of June 1835 before the subscriber a Justice of the peace of the State of Maryland in and for the City aforesaid, personally appears Henry Glovernan of said City and party complainant to the aforegoing Bill, who makes oath in due form of Law that the matters and facts set forth therein are correct and true as stated to the best of his knowledge and belief. Sworn before -

Noah Ridgely -

Complainants Exhibit A

John Diffenderffer
Deed to
Amelia H. Diffenderffer -

This Indenture, made this thirty first day of December in the year of our Lord eighteen hundred and thirty four between John Diffenderffer of the City of Baltimore in Baltimore County and State of Maryland of the one part and Amelia Handy Diffenderffer daughter of the said John Diffenderffer of the other part - Witnesseth that for and in consideration of the sum of eight thousand five hundred dollars current money by the said Amelia H. Diffenderffer to the said John Diffenderffer in hand paid at and before the sealing and delivery of these presents, the receipt whereof he doth hereby acknowledge and himself to be therewith fully satisfied contented and paid the said John Diffenderffer hath bargained and sold and by these presents doth give grant bargain and sell alien enfeoff release convey and confirm unto the said Amelia H. Diffenderffer her heirs and assigns all that part of a lot of ground in the City of Baltimore on the west side of Jones's Falls distinguished by the number Sixty six which which John Hillen Joseph Townsend and George Decker by Indenture dated the third day of April in the year eighteen hundred and seventeen and recorded among the Land Records of Baltimore County in Liber W. G. No. 140 folio 214 &c. conveyed to the said John Diffenderffer and which is contained within the following described metes and bounds to wit. Beginning for the same on the west side of Gay street at the distance of forty feet south from the North east corner of the whole lot and running thence North bounding on the west side of Gay street twenty one feet six inches then west eighty five feet, then South twenty one feet six inches and then east eighty five feet to the beginning Together with all and singular buildings improvements, ways waters water courses rights privileges advantages and appurtenances thereto belonging or in anywise appertaining and all the estate right title interest trust property claim and demand whatsoever at law and in Equity of the said John Diffenderffer in and to the same - To have and to hold the said part of a lot of ground and premises with the appurtenances thereunto belonging unto the said Amelia H. Diffenderffer her heirs and assigns to the only and proper