of them on which he was allowed the credits mentioned in his said three accounts and if so, that he may be required to file and produce with his said answer each and every voucher referred to in said accounts, and in regard to the said second account of said Henry, your Oratrix prays that he may answer and discover the consideration or account on which he paid to John B. Lawson the sum mentioned, in said second account and whether he never recovered the said fees back as costs adjudged to him against other persons, and your Oratrix charges that the sums credited in said account as paid for County Tax on Huntings Field Farm for the years 1841 & 1842 are illegal and inadmissible as credits in as much as your Oratrix saith that Hunting Field Farm was Real Estate not held or possessed by said Henry as such administrator and for which he was no where chargeable as such administrator. Your Oratrix further charges and shows that she is wholly ignorant of the particulars of the credit allowed to said Henry in his said second account as due by the deceased for his proportion of amount due on account of security on Guardian's Bond to Mary S. E. Lomsey in life of said Henry and she therefore prays that he may be compelled to exhibit and produce to your Honorable Court each and every voucher on which said last credit was claimed, and that he may fully state and disclose the particulars connected with the origin and nature of said security ship of the deceased stating where the evidence of such security ship can be found and how said indebtedness arose, and further showing who was the principal in said Guardian's Bond and whether the said principal or his Estate was solvent and the said amount could not have been by proper diligence recovered back from said principal or his estate. And your Oratrix further charges that the lease hold property sold by said Henry as stated in his said second account was illegally and injuriously sold by him, greatly below its real value.

And your Oratrix charges that the said Henry procured an order from the Orphans Court of Charles County authorizing said sale under the pretext that the said sale was necessary to pay debts, whereas your Oratrix charges that the said sale was not necessary to pay the just debts of said James D. Mitchell and that the said Henry as such administrator is liable for the Real and full value of said leasehold property as it shall appear upon the evidence to be taken in this cause.

Your Oratrix in regard to said third account of said Henry shows that he has therein illegally obtained a credit for the sum therein credited as having been paid to William Cox for State and County Taxes for 1844. Whereas your Oratrix charges and is ready to prove that the said taxes (except a small part thereof) were laid and assessed upon Real Estate with which the said Henry as such administrator was in no wise chargeable or concerned.

And your Oratrix further sheweth that said Henry in his said third account has obtained credit for a much greater commission than the law allows to him upon the unadministered assets which came to his hands as such administrator as will plainly appear upon a full legal settlement of the account of said Henry's administration in the premises.

And your Oratrix further charges that in his said account the said Henry has omitted to charge himself with the full hire and services of the negroes held and possessed by him as such administrator and with the full profits and rents of the leasehold property in Baltimore held by him as

such administrator, and she prays that the said Henry may in his answer discover the full and true amounts which he has received or ought to have received for the use hire or services of said negroes or any other personal property in his possession as such administrator and the rents of said leasehold property. And your Oratrix further prays that it may be referred to an Auditor to state a full and true account of the administration of said Henry S. Mitchell in the premises with leave to your Oratrix to surcharge and falsify all and singular said accounts and that upon the ascertainment of the several amounts with which the said Henry is chargeable that your Oratrix may recover her said claim as creditor of said James D. Mitchell against the said Henry as such administrator de bonis non.

But in case your Honor should adjudge and decree that your Oratrix cannot recover the said claim as above charged and claimed or in case there should be a surplus of assets of said James D. Mitchell after paying all his debts charges &c. then your Oratrix further shewth that she is one of the distributees of the said brother James D. Mitchell and as such entitled to one half of the surplus of his personal estate remaining after paying debts legacies, funeral expenses & the charges of administration.

Your Oratrix further sheweth that by said last will and testament, the said James D. Mitchell intended and designed that so many of his slaves as should be necessary for cultivating and carrying on said Myrtle Grove farm and for domestic purposes therein should be kept together upon said farm and that they and their increase should at the death of said testator go with said Myrtle Grove farm and being absolutely to whosoever the same upon the death of said Elizabeth became entitled to said Myrtle Grove farm either as devisee or heirs of said testator.

And your Oratrix charges that being entitled to the fee simple Estate in said Myrtle Grove farm by the death of said Elizabeth and the fact that at the time of her death there was no male heir of the body of Henry S. Mitchell according to the meaning of said last will ~~the~~ (your Oratrix) is alone entitled to have an account and full payment of the value of all such slaves as were necessary for cultivating and carrying on said Myrtle Grove farm and for domestic purposes therein.

Your Orator further showeth that a large number of the slaves belonging to said James D. Mitchell and on said Myrtle Grove farm at his death, and which were necessary for cultivating and carrying on said farm and for domestic purposes therein came into the hands of said Henry S. Mitchell as administrator de bonis non after the death of said Elizabeth, and your Oratrix charges that according to the true meaning of the last will and testament of said James D. Mitchell the said last mentioned slaves belonging to her as the heir entitled to said Myrtle Grove Farm at the death of said Elizabeth and she therefore prays that the said Henry S. Mitchell as such administrator may be ordered to account to her for such slaves, and to give up such of them as now remain in his possession and to pay her the full value with interest thereof of such of them as he has wasted or converted to his own use.

In tender consideration of all which premises and in as much as your Oratrix is remediless at and by the direct and strict rules of a Court of Common Law and can only have relief in a Court of Equity, where such matters are properly cognizable and to the end that the said Henry