Estate and receiving to himself the whole produce and profits thereof the said Lavinia is thereby deprived of all support whatever and being so divested of her entire estate and left utterly without resources by the conduct of the said Andrew, she was obliged to obtain wearing apparel and other necessaries for her comfort and suitable to her condition in life upon credit whereupon the said Andrew in the same harsh and cruel spirit before mentioned towards the said Lavinia, taking with him a certain Henry Freaner Constable in said County as witness, he personally notified the merchants shop keepers of Hagerstown, the town of their residence not to credit the said Lavinia by reason whereof she was not only likely to be embarrassed in procuring such necessaries but more so to be brought into public contempt and disgrace.

And your Orator is advised that the said Andrew being now in the possession of the said personal estate and in the sole and entire possession and control of the said real estate and receiving the rents produce and profits thereof for his own use and benefit contrary to the rights and equities of the said Lavinia, she the said Lavinia, is entitled to have an account of the same rendered by the said Andrew and also is entitled to enjoy her said real estate in her own name and as her own property and to her sole and separate use without the interference of the said Andrew.

To the end therefore that the said Andrew may answer the several matters and things hereinbefore stated, fully and particularly as if here again repeated and he thereto specially interrogated and that he be requested to account for whatever of the rents, produce and profits of the said real estate and of the personal estate of the said Lavinia which have come into his hands since said marriage and that said Andrew may be by injunction restrained from collecting or receiving into possession any of the rents, profits and produce of said real estate due or to become due under any lease or otherwise or to receive the rents produce or profits of the same under any lease or otherwise and that he be enjoined from managing, controlling, renting or leasing or in any intermedling with the said real estate of the said Lavinia. And that the said Lavinia may have the full enjoyment of her said Real estate to her own sole and separate use.

And that your Orator may have such other and further relief as the case of the said Lavinia may require. May it please your Honor to grant unto your Orator a Writ of Injunction against the said Andrew J. Schindel enjoining and strictly prohibiting him from collecting or receiving into possession any of the rents produce and profits of said Real Estate due or to become due under any lease or otherwise, & from receiving any rents, profits and produce of the same under any lease or otherwise and from managing, controlling renting or leasing or in any way intermedling with the said Real Estate of the said Lavinia; and also a Writ of Subpoena against the said Andrew J. Schindel commanding him to appear in this Court at some certain day to be therein named to answer the premises and abide by and perform such decree as may be passed therein and as W—

William T. Hamilton Solicitor
George W Smith

State of Maryland, Washington County, to wit:
On this 31st day of January A.D. 1856 before me the subscriber a Justice of the Peace of the State of Maryland in and for said County personally appeared the within named Lavinia Schindel and made oath that the matters stated in the foregoing Bill are true to the best of her knowledge and belief.

M. King

The foregoing Bill being read and by the Court here fully considered it is ordered by the Court here that a Subpoena be issued and accordingly a Subpoena was issued in the words following, to wit,

Washington County, To wit; The State of Maryland, to Andrew J. Schindel of Washington County; Greeting: You are hereby commanded that all excuses set apart you personally appear before the Judge of the Circuit Court for Washington County sitting as a Court of Chancery to be held at the Court House in Hagerstown in and for said County on the first Monday of February next to answer the Bill and Complaint of Elizabeth Emmert next friend to Lavinia Schindel, against you in our said Court lately exhibited and so forth. Hereof fail not, as you will answer the contrary at your peril. Witness the Hon Thomas Perry, Judge of our said Court the 26th day of November 1855. Issued the 31st day of January 1856.

(Seal)

J. Nesbitt Clk

At which said first Monday of February being the fourth day of the same month in the year of our Lord one thousand eight hundred and fifty six comes into Court here as well the said Complainant by her Solicitors aforesaid as the Sheriff of the County aforesaid, to wit, Benjamin A. Galinger Esquire to whom the foregoing Writ of Subpoena was in manner and form aforesaid given, makes return thereof to the Court here thus endorsed, to wit,

"Summoned B. A. Galinger Shff"

And the said defendant also appears in Court here by Richard H. Alvey his Solicitor and files in Court here his answer to the foregoing Bill of Complaint as follows, to wit;

The answer Andrew J. Schindel to the Bill of Complaint of Elizabeth Emmert as the next friend to Lavinia E. Schindel Wife of the said Andrew J. lately filed in the Circuit Court for Washington as a Court of Equity against him. This defendant saving and reserving unto himself the right of all manner of Exception to the said Bill of Complaint for its many and apparent errors, uncertainties and insufficient allegations, and protesting that the allegations of the said Bill are wholly insufficient for this defendant to be required to answer unto and that said Bill does not by its insufficient allegations present a make a case for the Cognizance of this Honorable Court for answer to the said Bill nevertheless, this defendant says that he admits that the late Joseph Emmert, deceased died intestate seized and possessed of a very large Estate real and personal; and that he left as his only heirs at Law his two children Ursilla and Lavinia E. and also left surviving him his widow the said Elizabeth Emmert who files the said Bill as the next friend of the said Lavinia E. He also admits that the said real Estate has been duly partitioned and divided under and in pursuance of the law to direct descents, into three Equal parts, and that the one of said parts was assigned to the said Elizabeth Emmert widow as aforesaid as and for her dower;