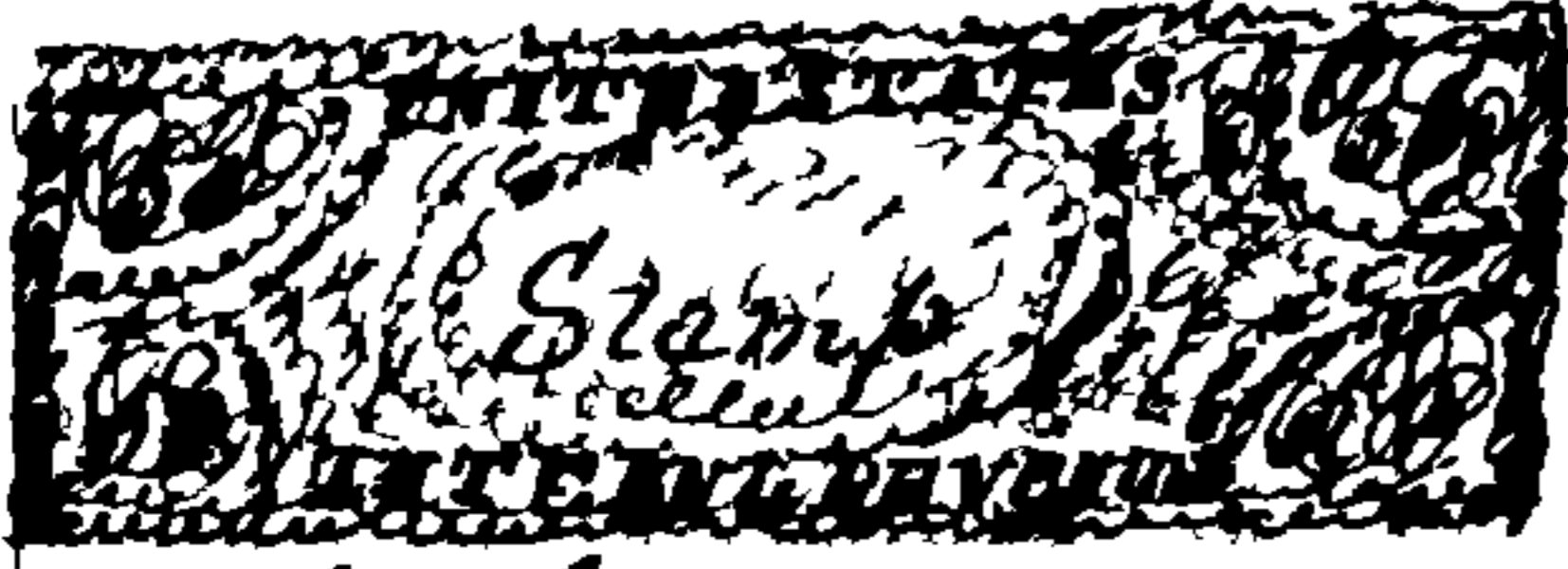


Bill



No 332 Equity

To the Honorable Madison Nelson Judge of the Circuit Court for Frederick County, sitting as a Court of Equity - The Bill of Complaint of Peter Elias Nusz and Margaret his wife, Ann Rebecca Cutsail, and Julia Ann Nusz, of Frederick County in the State of Maryland, humbly shew unto your Honor, that Elias Grove, late of said County, departed this life at the County aforesaid, on or about the 19th day of November in the year 1866, seized and possessed, in fee simple of about 198 acres and 19 perches of land, situate in said County which he acquired as follows, to wit: One parcel of Land called the "Barn" containing about 88 acres, and another parcel called part of "Chestnut Land" containing about 14 acres, 3 Rods and 26 perches, were devised to said Elias Grove by the last Will and Testament of his deceased father Peter Grove, as by a certified extract from said Will herewith filed as "Exhibit A" which your Complainants pray may with all other Exhibits herewith produced, be taken as part of this their Bill of Complaint, will fully appear. - the said two parcels of Land having been conveyed to the said Peter Grove by deeds respectively from Valentine Huskey and Philip Tolly, as will appear by certified copies of the same herewith filed respectively as "Exhibit B," and "Exhibit C" The residue of the said lands of said Elias having been conveyed to him by the respective deeds of the several parties grantor, as follows, to wit from John Slattery 31 1/2 acres of land, as appears by "Exhibit D," from George Zimmerman and wife 8 acres, as appears by "Exhibit E," from John Morgan and wife 2 1/2 acres, as appears by "Exhibit F," from Jacob West and wife 4 1/2 acres, as appears by "Exhibit G"; from Nicholas Holtz's executors 19 acres, as appears by "Exhibit H," from Walter Poole and wife 21 acres as appears from "Exhibit I," and from Rebecca Keller Trustee, 22 acres 1 Rod and 14 perches, as appears by "Exhibit J". From which said parcels of land said Elias in his life time conveyed one-half acre by deed to Mr Zimmerman and others, Trustees, as appears by "Exhibit K," - leaving said Elias seized and possessed at the time of his death, according to said deeds, of 198 acres and 19 perches of land as aforesaid. And the Bill of your Complainants further shew that the said Elias Grove died intestate and without issue, and left surviving him a widow named Mary, and Peter Elias Nusz married to his wife Margaret, Ann Rebecca Cutsail, formerly Nusz, widow of William Cutsail, and Julia Ann Nusz, your Complainants, and Arianna Cutsail, and Ann Jerome Cutsail, his sole heirs at law, who are the children of Susanna, a sister of the said Elias, by her two husbands, Cyrus Nusz, and George Cutsail, she having been twice married, - the said Susanna having died before the said Elias, and that said children of said Susanna are now entitled to said lands. - That all of said children of said Susanna are adults except said Arianna Cutsail and Ann Jerome Cutsail, who are infants, and reside in said Frederick County. - And the Bill of your Complainants further shew and charges, that the said lands of the said Elias Grove are incapable of beneficial partition and cannot be divided without loss and injury to the parties entitled thereto, and that it would be to the benefit and advantage of all the parties interested, infants as well as adults, to have the said lands sold, and the proceeds of said sale divided among the parties entitled to the same, according to their respective shares therein. - And your Complainants hereby expressly waive all right of partition election, or potential dower they may have in or concerning said lands. - But now so it is, that your Complainants are remediless in the premises without the interposition of your Honorable Court. - To the end therefore that the said lands of the said Elias, with all their improvements and appurtenances may be decreed to be sold by your Honorable Court, at such time and on such terms as your Honorable Court may direct, and that a suitable Trustee be appointed for that purpose, who shall report the sale thereof to your Honorable Court for its ratification, and such other orders as your Honorable Court may see fit to pass; and that the proceeds of said sale be divided among the said heirs at law of the said Elias Grove, as they may be entitled, and that your Complainants may