No. 5-123 Equity.

Frederick Kohlhaas and Sarah E Kohlhaas, his wife

vs

Justus Martin, Charles Kohlhaas and Ellen J Kohlhaas, his wife, Lycurgus Warfield and Hannah Warfield, his wife, Rebecca Trail, Charles Trail, Henry Baylis and Margaret Baylis, his wife, Charles Smith and Teresa J Smith his wife, Margaret Trail, Mollie Trail and Notly Trail and Hanson Trail.

No. 5-123 Equity

In the Circuit Court for Frederick County sitting as a Court of Equity

Bill of Complaint

To the Honorable, the Judges of the Circuit Court for Frederick County sitting as a Court of Equity. The Bill of Complaint of Frederick Kohlhaas and Sarah E Kohlhaas, his wife, of Frederick County, Maryland, respectfully represents unto your Honors. 1st That on the 4th. day of November 1885, One Jane Kohlhaas of Frederick County, Maryland, departed this life intestate, seized and possessed of certain real estate consisting of Eighty Eight Acres of land more or less, situated in the 7th Election District of Frederick County, Maryland, which is described in the Exhibits herewith filed marked No. 1. which, with all such other Exhibits as may by the plantiffs be herewith filed, it is prayed may be taken and considered as a part hereof, less that described in Exhibit No. 2.

2nd That the said Jane Kohlhaas left surviving her as her heirs at law as follows; a son named Justus Martin, Your Complainant Frederick Kohlhaas, a son, named Charles Kohlhaas, a son, named Charles Kohlhaas, whose wife's is Ellen J Kohlhaas; a daughter Hannah Warfield, whose husbands name is Lycurgus Warfield; and to following grandchildren who are the children of a deceased daughter Viz, Rebecca Trail Charles Trail, Margaret Baylis, wife of Henry Baylis, Teresa J. Smith wife of Charles Smith, Margaret Trail, Notly Trail and Hanson Trail to whom said Real Estate described and vested in on the death of the said Jane Kohlhaas as tenants in common — 3rd That all of the above named heirs at law are adults with the exception of Margaret Trail, Mollie Trail, Notly Trail, Hanson Trail and Teresa J. Smith who are Infants under twenty one Years of age, and that all reside in Frederick County, Maryland, with the exception of Charles Kohlhaas and Ellen J Kohlhaas, his wife who resides in Montgomery County, Maryland and Henry Baylis and Margaret Baylis, his wife, who reside in the State of West Virginia, and are not residents of the State of Maryland. 4th. That the Real Estate above mentioned is not susceptible of division among the heirs at law aforesaid without great loss and damage, and that it would be to the Interest of all of said heirs at law and especially the Infants to have the same sold and the proceeds arising therefrom divided among the above mentioned heirs at law according to their respective Interests. 5th Your Complainant therefore pray for the following relief — 1st That a decree may be passed for the sale of the real estate of which the said Jane Kohlhaas died seized and possed and described in the abovementioned Exhibits, and that the proceeds of such sale may be divided and distributed among the parties entitled thereto

Exhibit