

executor of William, as above mentioned, has for several years part has been in the receipt & enjoyment of all the rents, and profits of said Real Estate as charged with the trust as aforesaid and that he is bound to account for the same, unto this Court, to be divided among the several parties interested, according to their respective Interest, after deducting therefrom all necessary & reasonable costs for taxes repairs & other charges, in and about the preservation of said estate incurred - Your orators further charge that by the death of the said John executor, and by the absence in parts unknown of all of his children, and descendants it has become impossible to execute and carry out the purposes of said Trust, your orators further charge that the existence of said Trust is established, and admitted by the said John Shields, executor, in and by his last will & Testament, a Copy whereof is herewith exhibited, marked Ex. C/ and which so far as the same relates to the said Trust is prayed to be taken as part of this bill of Complaint.

It is the end that the several parties aforesaid, as far as they are known, and can be ascertained, and the heirs & devisees of those who are unknown, may answer the premises, and that the said Real Estate, may be sold, by some Trustee to be appointed by this Honble Court for the purpose of executing the said trust which now remains unexecuted, for want of some Trustee to perform the same, as herein before set forth and that the proceeds of such sale may be distributed by the said Trustee, to the parties entitled, as herein before mentioned, and that the said Jefferson Shields may render a true and perfect account of all the rents, and profits which have been received & enjoyed by him, since he has been in the receipt of the same, & that your orators may have such other & complete relief, as the case may require, may it please your Honors to grant to your orators, a writ of Subpoena to the said Jefferson Shields of William, Jefferson Shields of Ebenezer John H Shields, and Andrew J. Shields and William V B Shields of Frederick County aforesaid, commanding them to appear in this Court on some day to be named therein, to answer the premises and answer of Publication to the said non resident defendants, and to the unknown heirs & devisees of those who are deceased, to wit, to the said unknown heirs & devisees of Nancy Dewell & William Shields of John James M. Shields, Henry & S. Shields, the heirs and devisees of John S Shields, John Stuart & Margaret his wife James M Stuart David M Stuart George Stuart John Stuart and Mary S. Benham, & her husband, the unknown heirs & devisees of said J. A. Howard & Polly Howard his wife, James Anderson, and Betty his wife, Samuel Shields & Elizabeth his wife, Wm Shields of James Milton Shields, Johnanna & her husband H. C. Lee David Shields, unknown children & devisees of any, and the heirs & devisees of any of Henry Shields dec'd to C. J. Shields & Sarah his wife the unknown children, heirs & devisees of any of Jane Reid John Suckley & Nancy his wife, William Walker & Mary his wife John Kellingworth and A. C. his wife, James Crumwell,