

prayer may be taken as part of this his bill of Complaint, that the said Henry Brandenburg left the following children and heirs at law to, wit Samuel Brandenburg, John Brandenburg, Mary Ann Brandenburg intermarried with Henry Poffenberger and Melinda Cordelia Brandenburg, the said Melinda Cordelia is now a minor and under the age of 21 years. That since the death of the said Henry Brandenburg, the said Henry Poffenberger and Mary Ann his wife by a deed duly executed acknowledged and recorded, did convey all their right title and interest in to and out of the said real estate of the said dec^d to your orator as will appear by a copy of the deed hereunto annexed marked "Exhibit No 2"

And your orator further charges that the said real property is not susceptible of advantageous division amongst the parties entitled, and that it would be for the advantage of all interested therein infants as well as adults, that it should now be sold and the proceeds thereof divided amongst the parties entitled, but your orator is advised that even if such property was susceptible of advantageous division among those entitled thereto that the same could not be made, nor a sale effected without the aid of your Honorable Court on account of Melinda Cordelia Brandenburg being a minor. In the end therefore that the said real estate property may be divided amongst those entitled if the same be found susceptible of advantageous division or that the whole may be valued and those who have the right under the acts to regulate descents required to make their election to take the same at the valuation thereof, or that a decree may be passed for the sale of the aforesaid land and the proceeds of said sale divided amongst the parties entitled and that your orator may obtain such other and further relief in the premises as he may require may it please your Honor to issue a Commission out of your Honorable Court to five discreet and sensible men, authorizing them or a majority of them to divide or value the said real property as required by the laws of descents, having first laid off and ascertained from said real property the dower of a certain Mary Brandenburg widow of said Henry dec^d and may it also please your Honor to grant unto your orator the writ of Subpoena against John Brandenburg and Melinda Cordelia Brandenburg of Frederick County commanding them to be and 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 thereon as in duty bound &c

Bradley T. Johnson Solicitor pro Compl^t

Ex No 1

At the request of Samuel Brandenburg the following deed is recorded June 10th 1824 viz

This indenture made this tenth day of June in the year of our Lord one thousand eight hundred and twenty four, between Joseph M Palmer of Frederick County and State of Maryland of the one part and Samuel Brandenburg of the County and State aforesaid of the other part, whereas by a decree of the Frederick County Court sitting as a Court of Equity bearing date the 20th day of March in the year of our Lord 1822, the above named Joseph M Palmer was appointed a trustee, and authorized & empowered to sell and dispose of the real estate of Lewis Hays late of Frederick County deceased for the benefit of the heirs at law of the said Lewis Hays that in pursuance of the said decree the said Joseph M Palmer did on the 18th day of September 1822 sell and dispose of to the above named Samuel Brandenburg a tract of land late the property of Lewis Hays deceased, to wit being all that tract or parcel of land which lies within the outlines of the east part of the land which Jonathan Forest