

of Mary Smith one of the devisees, that John Leover one of your orators intermarried with Susannah Biggs one of the devisees, that Leathanne Knoff and John Knoff are both dead, and they departed this life intestate, leaving the following children their heirs at law viz, Jacob Knoff, John Knoff Jr Mary the wife of Jeremiah Martin, Leathanne the wife of Benjamin Ogle, Susannah Blaw the wife of W<sup>m</sup> Blaw, Eve the wife of William Kidenow Amy the wife of George Hesser — Your Orators and Oratrix further state that Gebulow Kuhn and Amy Kuhn are both dead, the said Gebulow Kuhn being the husband of Amy Kuhn one of the said devisees and the said Amy Kuhn died intestate leaving the following children her only heirs at law viz Joseph S Kuhn, Louisa Swilbes the wife of C Swilbes, Elega the wife of the said W<sup>m</sup> Hening and Franklen Kuhn your Orators and Oratrix aforesaid. — Your Orators and Oratrix further show unto your Honor that the tract of land called the "Resurvey on Bucks Forrest" containing about one hundred and fifteen acres of land described and specified in said clause of the will of the said Jacob Biggs as devised to his four daughters is now owned by your Orators and Oratrix and the said John Smith and Mary Smith his wife and the said heirs at law of the said Leathanne Knoff dec<sup>d</sup> as tenants in common, and that it will not in any way admit of a division amongst all the tenants in common and parties interested in said property without injury and loss to all the parties interested, and that it would be for their interest and advantage to have said one hundred and fifteen acres of land sold by a trustee to be appointed by a decree of your Honor — To the end therefore that the said John Smith and Mary Smith his wife, Jacob Knoff, John Knoff, Jeremiah Martin and Mary Martin his wife, Benjamin Ogle and Leathanne Ogle his wife, William G Blaw & Susannah Blaw his wife, W<sup>m</sup> Kidenow and Eve Kidenow his wife, and George Hesser & Amy Hesser his wife, may full, true and perfect answers make upon their respective corporal oaths according to the best of their knowledge, information and belief to all and singular the charges and matters charged and set forth in said bill, as fully in every respect as if the same were here again repeated, and they thereunto particularly interrogated &c — And may it please your Honor to order, adjudge and decree that the said One hundred and fifteen acres of land be sold by a trustee to be appointed for that purpose, for the benefit of the tenants in common aforesaid, and that your orators and oratrix may have such further and other relief in the premises as the nature of the case shall require &c — May it please your Honor to grant unto your orator the State of Maryland's writ of Subpoena to be directed to the said John Smith & Mary Smith his wife of New town Hanoll County, Jacob Knoff, John Knoff, Jeremiah Martin & Mary his wife, Benjamin Ogle and Leathanne his wife, W<sup>m</sup> G Blaw and Susannah his wife, William Kidenow & Eve his wife, George Hesser and Amy his wife, all of Frederick County, thereby commanding them and every of them, at a certain day therein to be specified, personally to be and appear before your Honor in this Honorable Court, and there and there to answer the premises aforesaid and to perform such order and decree as to your Honor shall seem meet, and your Orator shall ever pray &c &c

Jos M Palmer

Sol<sup>r</sup> for Complainants

Exhibit A is in the words and figures following, viz,

In the name of God Amen, I, Jacob Biggs of Frederick County and State of Maryland, being weak in body but of sound and disposing mind, memory and understanding, considering the certainty of death and the uncertainty of the time thereof and being desirous to settle my worldly affairs and thereby be the better prepared to leave this world when it shall please God to call me hence, do therefore make and publish this my last will and testament in manner and form following, that is to say — First and principally I commit my soul unto the hands of Almighty God and my body to the earth to be decently buried at the discretion of my Executor hereinafter named, and after my debts and funeral charges are paid, I devise & bequeath as follows —