

against Michael Keefer, Richard E Johnson & others, did on the 24th day of November 1857, a decree was passed therein, for the sale of so much of the real estate of which Richard Johnson died seized and possessed as would be necessary for the payment of his debts after the exhaustion of the personal estate and no more - and that Michael Keefer was appointed trustee to make said sale - that said trustee has sold two tracts of said real estate, one known as "the Home Farm" containing two hundred and fifty six acres & thirty square perches of land - the other known as the Botelev Farm, containing one hundred & fifty nine acres and five perches of land, which are ample and sufficient for the payment of all the debts of said Richard Johnson, all of which will fully & at large appear by reference to said case No. 2355 Equity in your honorable court, which with all the proceedings therein, and all other exhibits, your Petitioners pray may be taken & considered as a part of this petition, as if here inserted in words & figures. - Your Petitioners further state, that since the filing of the said bill Francis R. A Johnson, one of the residuary legatees & devisees named in said last will & testament has by a good & valid deed of conveyance, executed & recorded agreeably to law, sold & conveyed to Thomas Johnson, one of your Petitioners, all his the said Francis R. A Johnson's interest in the real estate so as aforesaid bequeathed & devised, as will appear by a true and certified copy of said deed of conveyance herewith filed marked Exhibit A to petition. - Your Petitioners further state the whole of the balance of said real estate remaining after the sales by Michael Keefer trustee as aforesaid belong to your petitioner Thomas Johnson under & by virtue of the aforementioned deed of conveyance to him from Francis R. A Johnson and to the other legatees & devisees named in said will, as tenants in common - that the devise therein mentioned and described by said Testator as "my natural son whom I had by Sarah Williams" is called & named Richard Edwin Johnson, and that said Richard Edwin Johnson, Jane Johnson, Thomas Johnson, Wyrudham Johnson, Fanny Johnson, Catharine Virginia Johnson & Mary Bedloe Johnson are infants under the age of twenty one years, and that the balance of said real estate unsold, a plat with a full and particular description of which will hereafter be filed in the proceedings in this case, will not admit of a division amongst all said devisees and tenants in common without great injury and loss, and that it will be greatly for the interest and advantage of said infant devisees that said real estate should be sold and the proceeds of sale distributed amongst all said parties according to their respective interests; And your Petitioners do not elect to take said real estate under the "Act to direct descents" of 1820 Chap 191 - In tender consideration whereof & for that your Petitioners are remediless in the premises by the strict rules of the Common law relievable only in a court of equity where matters of this nature are properly cognizable; To the end therefore that the said Richard Edwin Johnson, Jane Johnson, Fanny Johnson, Thomas Johnson, Wyrudham Johnson, Catharine Virginia Johnson & Mary Bedloe Johnson may full, true, direct & perfect answers make upon their corporal oaths to all & singular the charges & matters aforesaid as fully in every respect as if the same were here again repeated and they thereunto particularly interrogated: May it please your Honor to order, adjudge & decree that all the rest and residue of the real estate of which said Richard Johnson died seized & possessed remaining after the sale of the two tracts or parcels by Michael Keefer hereinbefore described & specified, be sold by a trustee to be appointed for that purpose; And may it please your Honor to extend unto your Petitioners such other & further relief in the premises as the nature of the case may require & to your Honor shall seem meet &c. - And may it please your Honor to grant to your Petitioners the State of Maryland's writ of Subpoena to be directed to the said Richard Edwin Johnson, Jane Johnson, Thomas Johnson, Wyrudham Johnson, Fanny Johnson, Catharine Virginia Johnson & Mary Bedloe Johnson, thereby commanding them & each of them,