

Wm. H. Joseph E. and Cecelia A. Motter are minors & under the age of Twenty one, and are thereby disabled from agreeing to a partition of said property, even if it were capable of division, and that therefore your Honorable Court, will furnish such aid as they may require in the premises. To the end therefore - that the said Real Estate, may be divided amongst those entitled if susceptible of division (and if not) that the whole may be valued, and that those, who have the right, under the act to direct descent to be required to make their election to take the same at the valuation thereof, or that a Decree, if they refuse so to take it, may be passed, for the sale thereof, and that the proceeds of said sale may be divided among those entitled to receive the same and to the further end - that the said Defendants may answer the several matters and things herein charged, as fully and particularly as if they were thereto especially interrogated, and to the further end - that your orators may have such further relief in the premises as their Case may require. May it please your Honor to issue out of your Honk - Court - a Commission to five discreet & sensible men, authorizing them, or any four, or any three of them to divide or value the said property as required by the Laws of descent, and may it please your Honor to grant unto your Complainants - the writ of Sub poena, against Mary A. Motter, George R. Motter, William H. Motter, Joseph E. Motter, and Cecelia A. Motter Commanding them to be and appear in this Court, at some certain day to be therein named to answer the premises & abide by and perform such Decree as may be passed therein and as in duty bound to.

Bradley, J. Johnson.
Sollr. for Complainants

Exhibit it is in the words and figures following viz.
 In the name of God, Amen. I Rebecca Smith, of Frederick City, Frederick County and State of Maryland, of sound and disposing mind, memory, and understanding do make and publish this my last will and Testament in manner & form following That is to say. First, and principally I Commit my soul into the hands of - Almighty God, and my body to the earth - to be decently buried, at the discretion of of my exutors herein after named, and after my just debts, and funeral expenses are paid. I give devise, and bequeath as follows. 1st I devise and bequeath to my daughter - Mary Ann Motter, and to her heirs forever - the western portion or parts of my lot of ground on West Patrick Street, in Frederick - together with the building and Improvements thereon, now occupied by me, with the use of the inlet from the street, in Common with the person, or persons, occupying the House on the Eastern portion of said lot, occupied at present by David Schley Esq. Subject to the privilege of using the Pumps and well on the western portion of said lot, by the persons occupying the House on the Eastern portion the well and pumps to be kept in repair at the joint expense of the owners of both properties, and I also give & bequeath to my said daughter, Mary Ann, my Coloured girl Nelly a slave for life.
 2nd I give, and bequeath to my son John Jacob Smith, my Coloured boy Joe, a slave for life, and also a good bed, bedstead & bed clothing. 3rd I give and bequeath, to my grand daughter Henrietta R. Smith, my large Gilt frame looking Glass, formerly owned by her deceased Father Geo Smith. 4th I give, and bequeath to my son - William H. Smith One Hundred Dollars. 5th I give, and bequeath to my grand daughter Eveline C. Smith - my Negro girl - Catharine (Commonly Called Kipp) with the expenses express understanding that she pay to each of my four grand children, viz. John J. Smith Henrietta R. Smith Alice R. W. Lanahan, and William H. W. Lanahan each the sum of Fifty Dollars, within six months after my decease, and which said sum of Fifty Dollars I do hereby give, and bequeath to each of them respectively.
 6th I give, and bequeath, to my son George Smith, and my son in law John S. Motter