

who named John W. Deakley Catharine Summers & Malinda Summers all of whom are of full age, and reside in Frederick County State of Maryland except Sarah Eliza & Mary his wife, who reside in Ohio and the defendants Adam Summers Jacob Summers, and Amanda Summers, as his heirs at law, which said Adam Summers Jacob Summers & Amanda Summers are infants under the age of twenty one years, and reside in Frederick County State of Maryland to whom said Real Estate descended Your Complainants further state, that the said Real Estate is susceptible of partition, among the parties aforesaid, and that if it cannot be divided between them, with advantage to all the parties, then that your Complainants will be entitled to have the same sold and the proceeds distributed among the parties in proportion to their respective Interests. To the end therefore that the said Adam Summers, Jacob Summers, and Amanda Summers may answer the premises and that a Decree may be passed for a partition of the aforesaid Real Estate among the parties aforesaid or in case a partition thereof cannot be effected, that the same may be sold, under the direction of the Court, and the proceeds thereof distributed among the said parties, in proportion to their respective Interests, and that your Complainants may have such other & further relief in the premises, as their case may require - May it please your Honor to grant to your Complainants, the writ of Subpoena directed to the Sheriff of Frederick County against the said Adam Summers Jacob Summers, and Amanda Summers, Commanding them to appear in this Court, at some certain day to be therein named to answer the premises, and also by and perform such Decree as may be passed thereon, and may it also please your Honor, to order a Commission to be referred to five discreet, and sensible persons, authorizing & empowering them, or a majority of them, to view & Value the said Real Estate & Report to this Court whether the same is susceptible of division, or not, and your Complainants will ever pray &c.

William S. Ruff.

Attor. for Comp.

Exhibit At the request of Abraham Summers the following deed was Recorded
 M. March 14. 1838.

This Indenture made this third day of March in the year of our Lord one thousand eight hundred and thirty eight Between Jacob Summers & Elizabeth Summers his wife of Frederick County, in the State of Maryland, of the one part and Abraham Summers of the County & State aforesaid of the other part; Witnesseth That said Jacob Summers & Elizabeth Summers his wife, for & in Consideration of the sum of Five dollars current money of the United States, to them in hand paid by the said Abraham Summers, before the sealing & delivery of these presents, the receipt whereof they the said Jacob Summers, and Elizabeth Summers his wife, do hereby acknowledge, have granted bargained and sold, aliened, enfeoffed and confirmed and by these presents do grant bargain sell alien, enfeoff & confirm, unto the said Abraham Summers, his heirs, & assigns, all that part of a tract of land situate lying and being in the County & State aforesaid, being part of a tract of land called "The Land of Promise" Beginning for the piece, part, or parcel of land, hereby intended to be conveyed, at the end of fourteen ps. on the front line of the whole tract called "The Land of Promise, and running thence S 32° W 13 ps. to the Beginning of Jacob Summers' deed, for part of said Land bearing equal date, with these presents, & running

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