

Honorable The Hon. Madison Nelson Circuit Judge,
William B. Tabler Esq. Sheriff and
J. W. L. Harty Clerk.

Among other were the following proceedings to wit:

John S. Sellman wife }
" " }
Lydia A. Hartsock & al }
1865, came the said Complainants in Court here sitting by
Milton G. Turner, Solicitor and filed in Court herewith follow-
ing Bill and Exhibits.

Bill

In the Hon. Madison Nelson Judge of the Circuit Court for Frederick County
sitting as a Court of Equity.

Exhibit No. 1

The Bill of Complaint of John S. S. Sellman and his wife
Lydia A. Hartsock late of Carroll County, respectfully sheweth unto your Honor that some-
-time in the fall of the year eighteen hundred and sixty four, Henry Hartsock late of Frederick
-ick County departed this life intestate, seized and possessed of a tract of land containing
about forty five acres and twenty three perches, conveyed to him by J. H. Hartsock, by
deed of Conveyance dated the 14th day of April 1862, a true and certified copy whereof
is filed herewith marked Exhibit No. 1. - Which with all other Exhibits your Orators pray may
be taken as a part of this their bill of Complaint as if here inserted in words and figures,

Your Orators further state that the said Henry Hartsock died leaving as his widow
Lydia A. Hartsock and one of your Orators Savilla C. Sellman, Savina E. Turner, wife
of Augustus Barnes, Sarah Virginia Hartsock, Mary Ann Hartsock and Maria Hartsock
as his only children and heirs at law; that they all reside in Frederick County and are all
adults with the exception of Mary Ann and Maria Hartsock who are infants; that before
the marriage of said Henry Hartsock with the said Lydia A. Hartsock, he the said Henry
Hartsock entered into an agreement or marriage contract with his intended wife who was
then Lydia A. Turner, which agreement or contract was duly executed and acknowledged
according to law, by which the said Lydia A. Turner in consideration of certain provisions,
grants &c made to her by the said Henry Hartsock did covenant and agree to accept the same
in lieu of and in full satisfaction of all such dower, thirds or distributive share, which
under the laws of this State she might have claimed out of any lands, tenements, goods
or chattels whereof the said Henry Hartsock then was or at any time thereafter during
his intended coverture might be seized and possessed, all of which will fully appear
by reference to a full and certified copy of said agreement filed herewith marked Exhibit
No. 2; that said children of said Henry Hartsock now own all of said tract of land as
tenants in common and that it would be to the interest and advantage of all of said
children, heirs at law or tenants in common, infants as well as adults, to have said land
sold by a trustee appointed by your Honor's Court as said land will not admit of
division without injury and loss to all the parties concerned.

In tender consideration whereof and for that your Orators are remediless in the prem-
-ises by the strict rules of the common law and relievable only in a Court of Equity where
- matters and things of this nature are properly cognizable. - It is and therefore that the
said Lydia A. Hartsock, Augustus Barnes and Savina E. Turner his wife, Sarah Virginia
Hartsock, Mary Ann Hartsock and Maria Hartsock may answer fully and particularly
all and singular the matters and things aforesaid; May it please your Honor to order and
decree that said real Estate may be sold by a trustee to be appointed for that purpose and
that your Orators may have all such further and other relief in the premises as the nature
of the case may require and to your Honor shall seem meet and just, - And may it