of whatsoever kind to my children, Ellen, John, William P. Lamar, Mary A. Rice and Loretta J. Hessler, Albertus Spencer representative of my daughter Elizabeth Spencer, to the children of my deceased son Benoni S Lamar as his representative, and to the children of my daughter Rebecca Johnson as her representative to be divided amongst them share and share alike, The children of Rebecca Johnson to receive one share to be equally divided amongst them, and the children of Benoni S. Lamar to receive one share to be equally divided amongst them they being charged one thousand dollars for the negro boy John, heretofore given to them;— The Bill further states that the rest and residue of the real estate of said testator, referred to in said Item; consists of a farm containing about two hundred and eighty two and a half acres of land, in Frederick County, described in Exhibits C and D, filed with said Bill; that said Ellen Lamar, William P. Lamar and Elizabeth his wife, Mary A Rice and Leighman Rice her husband, Loretta J Hessler and Andrew Hessler her husband and Albertus Spencer are all over age and reside in Frederick County; that said John Lamar and Rebecca his wife, are over age and reside in the State of Ohio; that the children of said Rebecca Johnson, are named respectively Mary, Cornelia, Thomas P. William P. and Emma; that said Mary is over age, unmarried and resides in Frederick County; that said Cornelia is over age, married to John Jones resides in Montgomery County Maryland; that said Thomas P. and William P. are over age, unmarried, and reside in the State of Ohio; that said Emma is under age, and lives in Frederick County that the children of said Benoni S Lamar are named respectively, Thomas M. Albert, Anna M. William and John, all of whom are under age except Thomas M who is adult; and all reside in Frederick County, except the said Albert, who is now living in one of the Southern States.— The bill further states that said real estate is not susceptible of division or partition among the parties interested, but that it would be for the interest and advantage of all the parties, infants as well as adults, that said real estate should be sold under the direction of this Court, and the proceeds of sale divided among the parties entitled according to their respective interests.— The bill then prays for a decree to sell said real estate mentioned in said Exhibits C and D. and for the sale of the house and lot mentioned in said Exhibit B. subject to the life estate of said negroes "Nick, Clem and Hiz";—

It is thereupon this 29th day of August A D 1864, ordered that the complainants by causing a copy of this order to be inserted in some newspaper published in Frederick County once a week for four successive weeks prior to the first day of October A.D. 1864, give notice to the said non-resident defendants of the object and substance of this Bill, and warn them to appear in this Court in person or by solicitor, on or before the first day of January A.D. 1865, to answer the premises and show cause if any they have, why a decree ought not to be passed as prayed.—

A. W. L. Carty Clerk of the Circuit Court for Frederick County.

True Copy, Test A. W. L. Carty Clerk,

Examiner Buildings, Frederick Md, February 3rd 1865.—

This is to certify that the annexed printed notice was published in the Examiner, printed in Fredericktown, once a week for four successive weeks prior to the first day of October 1864,

Schley, Keefer & Co.—

Order to issue Commns to appt Guardian &c.

Wm P. Lamar and others
vs
John Lamar and others

No 3181 Equity.—

In the Circuit Court for Frederick County as a Court of Equity.
October Term 1864.—

The infant defendants in this cause having been returned "summoned" the Clerk will issue a Commission to Robert G. McPherson Esq. to affirmit a guardian for said infants and take their answers to the bill of Complaint filed in this cause

Dec. 5th 64.— John A. Lynch Solr for Complts