Sweeny of Frederick County State of Maryland and died about eleven years ago intestate & seized in fee of the tract of land called "Dam Head", containing one hundred and three and one quarter acres of land and fully described in the deed from David Caldwell to the said Christina Caldwell, and filed in said cause as Exhibit No 2.

Your Complainants further charge that the said Christina Sweeny died intestate as aforesaid leaving her husband James Sweeny surviving, the following children her heirs at law to whom said lands descended viz. Mary E. Sweeny now the wife of William Hane and who resides in the State of Pennsylvania, Francina Sweeny now the wife of Thomas Smith and who resides in the State of Pennsylvania, Agnes Sweeny now the wife of Moses Esterline and who resides in the State of Pennsylvania, Martha Jane Sweeny a daughter who now resides in the State of Pennsylvania, Christina Sweeny a daughter now the wife of William Kennedy who resides out of the State of Maryland, William M. Sweeny a son who resides in Frederick County Maryland, Columbia Sweeny a daughter who died in the year Eighteen hundred and Sixty three intestate and without issue, leaving her brothers and sisters her heirs at law, all of said children are of full age except William M. Sweeny who is an infant under the age of twenty one years,

Your Complainants further state that the said Mary E. Sweeny now the wife of William Hane on the fourth day of December in the year Eighteen hundred and fifty six by deed conveyed to the said James Sweeny all her right, title, interest and estate in and to the lands described in Exhibit No 2, which descended to her as one of the heirs at law of Christina Sweeny which will appear by reference to a copy of said deed hereunto filed marked Exhibit No 3.

Your Complainants further state that the said James Sweeny the husband of the said Christina Sweeny is entitled to an estate for life in said lands as tenant by curtesy, and your Complainants further state that the said lands cannot be divided among the parties interested without loss or injury hereinafter to be named. To the end therefore that the said defendants may answer the matters and things stated in the foregoing bill of Complaint as fully and particularly as they were hereon again repeated and they were thereunto specially interrogated, and that the real estate in the proceedings mentioned may be sold and the proceeds of sale divided among all the parties interested according to their several and respective interests and that your Complainants may have such further and other relief in the premises as the nature and Equity of their case may require. May it please your Honor to grant unto your Complainants an order of publication giving notice to the said William Hane and Mary E. Hane his wife, Moses Esterline and Agnes Esterline his wife, Martha Jane Sweeny, William Kennedy and Christina Kennedy his wife, who are non residents of the State of Maryland as aforesaid of the substance and object of this bill and warning them to appear in this Court in person or by Solicitor on or before a certain day to be therein named to answer the premises and show cause if any they have why a decree ought not to pass as prayed and also the writ of Subpoena against the said James Sweeny William M Sweeny of Frederick County commanding them to appear in this Court at some certain day to be therein named to answer the premises and abide by and perform such decree as may be passed therein and as in duty &c.

Wm. J. Chas. O. Ross
Solicitor for Complainants

Exhibit No 1. In the name of God Amen.

I James Caldwell of Frederick County in the State of Maryland, being sick and weak in body, but of sound and disposing mind, memory and understanding, considering the certainty of death and the uncertainty of the time thereof and being desirous to settle my worldly affairs, and thereby be the better prepared to leave this world when it shall please God to call me hence, do therefore make and publish this my last will and testament in manner and 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 my Executor hereinafter named, and after my