said real estate descended as tenants in Common, Your Complainant would further state that on the 11th day of February 1863, said George A Winebrener together with your Complainant, executed a Mortgage to Richard A Marshall of Frederick County, to secure to said Richard A Marshall the payment of eight thousand dollars, then due and owing to him from said Geo A Winebrener, and which Mortgage has never been released but is still of binding effect, and was intended to include the whole of said real Estate, as will more fully appear by reference to a true and certified Copy of said Mortgage filed herewith marked Exhibit No 2, Your Complainant still further charges, that on the 19th day of October 1863, Hugh McAleer of said County obtained against said Geo A Winebrener in the Circuit Court for Frederick County, a judgment for $421 62 with interest from January 9th 1862 till paid, and for $438 89 with interest from Jan 9th 1862 till paid and for $21 98 with interest from Aug 29th 1861 till paid, as will fully appear by reference to a certified Copy of said judgment filed herewith marked Exhibit. No 3; that said Geo A Winebrener in his life time paid from time to time to said Hugh McAleer different amounts upon said judgment, until the same has been entirely or nearly satisfied; that said real Estate will not admit of advantageous division, but that it will be to the interest and advantage of said infants, to sell the aforesaid real Estate and to invest the proceeds in some productive fund for their benefit, and your Complainant, being the widow of said Geo A Winebrener, does hereby agree that the said real Estate of the said deceased shall be sold under the direction of your Honorable Court, free from the incumbrance of her dower therein, and that in lieu thereof, she will accept such proportion of the proceeds of sale of said Estate, as your Honor shall judge to be reasonable and right. — In tender consideration whereof and for that your Complainants are remediless in the premises 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 — To the end therefore that the said John Albert, Samuel C, Geo Clinton, Jas Talbot, Noah, and Mary Winebrener and Richard A Marshall and Hugh McAleer, may answer fully and particularly all and singular the matters and charges 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 Complainants may have all such other and further relief in the premises as the nature of the Case may require and to your Honor shall seem meet, and may it further please your Honor to grant unto your Complainant the State of Maryland's writ of Subpoena to be directed to the said John Albert, Samuel C, Geo. Clinton, James Talbot, Noah, and Mary Winebrener, Richard A Marshall and Hugh McAleer, all of Frederick County, Commanding them and each of them to be and appear before your Honor in your Honorable Court on a certain day to be therein named, to answer all and singular the premises, and to stand to, abide and perform such order and decree therein as to your Honor shall seem meet, and your Complainant will ever humbly pray &c

Milton G Urner
Solicitor for Complainant

Exhibit No 1

Chrs Winebrenner & wife
To
Geo A Winebrenner

At the request of George A Winebrenner the following Deed was recorded February 11th 1863 Stamped and Cancelled.

This Deed made this eleventh day of February Eighteen hundred and sixty three, by Christian Winebrenner and Phebe Winebrenner his wife of Frederick County in the State of Maryland, Witnesseth, that in consideration of Ten thousand dollars the said Christian Winebrenner and Phebe Winebrenner his wife do grant unto George A. Winebrenner of the said County and State, all the following described parcels of land lying in Frederick County in the State of Maryland, being the same lands which were conveyed to the said Christian Winebrenner on the first day of April Eighteen hundred and forty four by two deeds of conveyance, the one by William Barrick Leah McBarrick his wife, and Margaret Barrick, for one hundred and forty three acres of land and the other by John W Barrick Catharine S Barrick his wife and Margaret Barrick, for Ten acres and seventeen perches of land, which said deeds of conveyance are recorded in Liber A S No 22 folios 379 380 381 382 and 383 one of the Land Records of Frederick County aforesaid as