

said Charles A. Griffith's real estate, as will appear by said last Will and Testament, a true and certified Extract whereof is herewith filed as Exhibit N^o. 8. ~ That said Beron H. Griffiths died intestate, leaving his sister, the said Anna Mary Griffiths, as his only heir at law to whom his undivided one half of the three munts of said real estate so as aforesaid devised by said Charles A. Griffiths descended ~ That John A. Griffiths, another of said devisees, sold and conveyed to Mordecai S. Griffiths his undivided one munt of said real estate, as will appear by said deed, a true and certified copy whereof is filed herewith as Exhibit N^o. 9. ~ That said Mordecai S. died some time after intestate, leaving said Beron H. and Anna Mary Griffiths as his only children, to whom said Mordecai's undivided two munts descended as his only heirs at law ~ That said Beron H. died intestate soon after his father, leaving his sister Anna Mary surviving him, to whom his undivided one half of the undivided two munts last aforesaid descended as his only heir at law, thereby vesting in said Anna Mary Griffiths five munts of said real estate, to wit: the three munts devised by Charles A. Griffiths and the two munts of which said Mordecai S. Griffiths died intestate, while the other four munts are held and owned by your Oratrix Mary C. Plummer, and your Orators allege that said real estate is susceptible of advantageous partitions between said Mary C. Plummer and Anna Mary Griffiths, and Anna Mary Griffiths according to their respective interests therein, and if not susceptible of advantageous partition, that then it will be to the advantage of both your Orators and the said Anna Mary Griffiths, who is an infant under the age of twenty one years, that said real estate should be sold by a trustee to be appointed for the purpose, and the proceeds of sale distributed under the direction of your Honor among the parties entitled thereto. ~ To the intent therefore that the said Lyde Griffiths and Louisa Griffiths his wife & Anna Mary Griffiths may answer all and singular the charges and matters aforesaid as fully as if the same were here again repeated, and they therein particularly interrogated and that your Orators may have partition of said real estate, if the partition can be advantageously made, or, if not, that that said real estate may be sold by a Trustee to be by your Honor appointed for the purpose, and the proceeds of sale distributed among the parties according to their respective interests, and that your Orators 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. May it please your Honor to grant unto your Orators the State of Maryland's Writ of Subpoena to be directed to the said Lyde Griffiths and Louisa his wife, and Anna Mary Griffiths of Frederick County, thereby commanding them and each of them to be and appear before your Honor in person or by their Solicitor, on a day to be named therein, to answer all and singular the matters aforesaid, and to stand to, abide and perform such order and decree therein as your Honor shall seem meet, and your Orators will ever pray &c. ~

Grayson Eichelberger
Solicitor for Complainants

N^o 33.17 Equity

Extract of the Last Will and Testament of Philemon Griffiths late of Frederick County deceased executed on the 30th day of May 1838, and probated on the 3rd day of May 1838. ~ I now give and bequeath to my Grand-children, the sons and daughters of my son Lemuel and his wife Rachael, named as follows, Philemon Griffiths, Lide Griffiths Henry Augustus Griffiths, Charles A. Griffiths, Mordecai S. Griffiths, John Albert Griffiths, Columbus Griffiths, Ann Griffiths and Mary Griffiths, all my landed property lying on the North West side of the present Public Road leading from New Market to Taneytown by way of the "Iron Church" which lands were conveyed to me by Joel Waters, as will appear per deed in my possession, being the "Acres on four tracts" and since resumed and called "Division to four Tracts" as the grant in my possession will show. I further give and bequeath to my said Grand children above named, my two negro men Corben & George with

Exhibit N^o. 1

Exhibit N^o. 2