and Ann Hilderbrand his wife, all of Frederick County in the State of Maryland, humbly shows unto your Honor, that Ezra Hilderbrand, late of said County dec^d departed this life in the month of January in the year Eighteen hundred & sixty three (A.D. 1863) seized and possessed, & in the occupancy of, about seventy six (76) acres of land, lying & situate in Frederick District in said County, which he acquired as follows, to wit, his father Joseph Hilderbrand, late of said County dec^d was seized in his lifetime of a certain tract of land, lying in said County, containing ninety six (96) acres, more or less, which was conveyed to him by grant from the State of Maryland under Patent bearing date the 18th day of March A.D. 1806, as will appear by said Patent herewith filed as Exhibit "A", which your Orators and Oratrix pray may, with all other Exhibits herewith filed by them, be taken as part of this, their Bill of Complaint - that the said Joseph Hilderbrand died sometime in the month of January A.D. 1842 having duly executed a last will & testament, which was regularly admitted to probate in the Orphan's Court for Frederick County on the 7th day of February A.D. 1842, and by which last will & testament he devised unto said Ezra Hilderbrand a certain portion of said land so acquired as aforesaid by Patent from the State of Maryland, containing sixty eight (68) acres, more or less, according to a plot referred to in his said Last Will, as will appear by reference to a certified extract from the same herewith filed as "Exhibit B" and which plot so referred to as aforesaid by said last will is herewith filed as "Exhibit C" - which said 68 acres, more or less, was in the full enjoyment & possession of said Ezra from the death of said Joseph, up to the time of his decease - the remaining Eight (8) acres, more or less, lying in said County, of which said Ezra Hilderbrand died seized & possessed & in the occupancy of, as aforesaid, having been conveyed to said Ezra by deed of grant from William F. Johnson & wife, dated the first day of October A.D. 1853 and recorded in Liber E.S. No 3 folio 306, &c of the Land Records of Frederick County, as by a certified copy thereof, herewith filed as "Exhibit D", will fully appear.—

And the Bill of Complaint of your Orators & Oratrix further further shows, that the said Ezra Hilderbrand left surviving him at the time of his death, his widow, Ann Mary Hilderbrand and the following children who are still living, namely, your Orators, Frederick Hilderbrand John I. Hilderbrand, and Joseph Daniel Hilderbrand, who are of full age, and George H. Hilderbrand Samuel Thomas Hilderbrand & Mary Jane Hilderbrand who are infants, & who reside in said Frederick County. That said Ezra Hilderbrand in his lifetime duly executed a last will and testament which after his said decease was regularly admitted to probate on the 2nd day of February A.D. 1863, in the Orphan's Court for Frederick County, and in which last will the said Ezra devised all his real estate, which comprised the aforesaid lands of which he died seized & possessed &c as aforesaid, to his said wife Ann Mary, during her natural life and after her death, to his aforesaid children share & share alike, as by reference to a certified copy of said last will & testament, herewith filed as "Exhibit E" all which will fully appear.—

And the Bill of Complaint of your Orators and Oratrix further shows, that the said Ann Mary, widow and devisee of the said Ezra as aforesaid, departed this life on or about the 25th day of April A.D. 1866, and the aforesaid lands of the said Ezra thereupon fully vested in the aforesaid children of the said Ezra Hilderbrand, according to his aforesaid last will. — And the Bill of Complaint of your Orators and Oratrix further shows & charges that the aforesaid lands of the said Ezra Hilderbrand are incapable of beneficial partition among your Orators and the said George Henry, Samuel Thomas and Mary Jane, the other children as aforesaid, of the said Ezra Hilderbrand, and cannot be managed as they are at present to the advantage of the said parties entitled thereto, and that it would be greatly to the benefit of all the parties interested as aforesaid, the infants as well as the adults, to have the said lands sold, and the proceeds of said sale divided among the parties entitled, according to their respective shares therein. — And your Orators & Oratrix hereby expressly waive all right of election, partition, or potential dower they may, in any wise, have in, to or concerning the aforesaid lands. — But now so it is, that the said George Henry, Samuel Thomas & Mary Jane, the other children, besides your Orators,

Exhibit "A"