

as well as aaults that the said land & tenements of which the said John Simmons was seized and possessed should be sold under a decree of this Court - and the proceeds of the sale distributed among the same according to their several and respective interests and to the end that the Defendants may answer the Bill and that the said lands may be sold and that your Complainants may have such further and other relief as their case may require And your Complainants have all right to the partition of the said land and tenements and all right to elect to take the same at a valuation - May it please your honor to grant unto your Complainants writs of subpoena against the said Isaac Simmons and Elizabeth Simmons his wife and Mary Inance of the City of Baltimore Isaac Simmons and Elizabeth Simmons his wife of the City of Baltimore William Johnson and Elizabeth Johnson his wife Charles J Simmons and Elizabeth Simmons his wife Richard Simmons and Julia Simmons his wife Peter C Simmons and Elizabeth Simmons his wife George W Pole and Ann Sophia Pole his wife John J Worthington and Mary R Northington his wife Anna Simmons Thomas Simmons and Simon Simmons an infant under the age of twenty one years all of Frederick County State of Maryland Com manding 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 thereon and as an duty bound &c

Jm. J. R of Solicitor
for Complainants

Exhibit
N^o 1
Will

In the name of God Amen I James Simmons of Frederick County and State of Maryland being in perfect in perfect health of body and of sound and disposing mind memory and understanding Considering the certainty of death and the uncertainty of the time thereof and being desirous of settling my worldly affairs and thereby be the better prepared to leave this world when it shall please Almighty 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 debts and funeral charges are paid I devise & bequeath as follows I give and bequeath to my son John Simmons all that part of the tract of land on which I now reside called Mountain Top beginning for the division at the