

except thirty nine dollars fifty seven and a half cents which balance
 of purchased money has been paid by the administrator of said intestate
 since his death but no deed has been executed for the same
 as true & correct plat & the Courses & Distances of which said
 last parcel of land is herewith filed marked as Exhibit D—
 And your orators and oratrices further show and declare that the
 said real estate is not susceptible of partition amongst the
 aforesaid parties and that it will be greatly to the interest
 and advantage of all the parties interested the infants as
 well as your orators & oratrices that said real estate be sold
 and the said proceeds divided amongst the parties entitled and
 that your orators and oratrices hereby expressly waive all and
 every right of partition and election given by the act of
 Assembly of the year 1829 Chapter 191 and that one of your
 oratrices (Mary Davis) the said widow hereby expressly waives all
 and every right of dower in the said real estate and in lieu
 thereof will take such a proportion of the proceeds of the sale of
 said real estate in money as to the Hon Court may seem
 right & proper. But now so it is that your orators and oratrices
 are gravely except by the act of your Honorable Court
 in the end therefore that the said Daniel Swadner and
 Rebecca his wife Mason Davis Charles Davis and Winslow
 Swintree may answer the premises and that a decree may
 be passed for the sale of said real estate under the direction
 of this Honorable Court and the distribution of the proceeds
 amongst the parties entitled according to their several
 interests and that your orators and oratrices may have
 such other and further relief as their case may require
 May it please your Honor to grant unto your orators
 and oratrices the writ of subpoena against the said
 Winslow Swintree to be directed to the Sheriff of Baltimore
 City Commanding said Swintree 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 also the writ of subpoena to be
 directed to the Sheriff of Frederick County against the said
 Mason Davis Charles Davis and Daniel Swadner and
 Rebecca his wife 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 go in duty bound &c—
 John A. Lynch Solr—

For Receipts—
 By all people to whom these presents shall come greeting
 Greeting that we Jonathan Browning (of a) and Maria
 Browning both of Frederick County in the State of Maryland
 for the consideration of three hundred dollars
 received to our full satisfaction of Mahlon Davis of the
 County and State aforesaid do give grant bargain sell
 and confirm unto the said Mahlon Davis his heirs & assigns