

said children and heirs at law are adults, with the exception of Henry Martin Long who is an infant. Your Complainants still further state that said real estate cannot be divided with out injury and loss to all the parties concerned, and that it would be to the interest and advantage of all the parties concerned, infants as well as adults, to have said real estate sold by a Trustee to be appointed for that purpose by your Honorable Court.

In tender consideration whereof, and for that your Orators are reminded 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. I do hold therefore that the said Cynthia Long and Henry Martin Long may answer fully and particularly all and singular the matters and things herent charged 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 Complainants the State of Maryland's writ of Subpoena to be directed to the said Cynthia Long and Henry Martin Long, both of Frederick County, commanding them and each of them to be and appear before your Honor in your Honorable Court on a certain day therein to be named, to answer all and singular the premises, and to stand to, abide and perform such order and decree thereon as to your Honor shall seem meet and just. And your Complainants will ever pray &c.

Filed Oct. 9<sup>th</sup> 1867

Milton S. Warner

Sol<sup>r</sup> for Complainants

Exhibit A

This deed made the sixteenth day of March in the Year of our Lord Eighteen hundred and sixty one, by Ephraim W. Gilbert and Sophia J. Gilbert his wife of Frederick County and State of Maryland. Witnesseth, that in consideration of Six Hundred and seventy five dollars, the said Ephraim W. Gilbert and Sophia J. Gilbert his wife, do grant unto Henry Long all that portion or parcel of land lying and being in Frederick County and adjoining the premises of Thomas Metcalf, John Hants and Wm. Scholly, containing nine and a half acres of Land more or less, in fee simple, it the remaining portion of land belonging to the estate of the late Jacob Breager of Frederick County deceased, and conveyed to the said Ephraim W. Gilbert by James F. Stouffer by deed bearing date the 19<sup>th</sup> day of September 1856, and the said Ephraim W. Gilbert and Sophia J. Gilbert his wife Covenant that they will warrant generally the property hereby conveyed.

Sub

Witness our hands and seals

Mathias Koltz

Ephraim W. Gilbert

Sophia J. Gilbert

Which is thus indorsed

State of Maryland Frederick County, to wit:

I hereby certify that on this sixteenth day of March A. D. 1861, before me the subscriber one of the Justices of the Peace in and for said County, personally appeared Ephraim W. Gilbert and Sophia J. Gilbert, his wife, and did each acknowledge the foregoing deed to be their respective act

Mathias Koltz

State of Maryland Frederick County Sct:

I hereby certify that the foregoing is a true copy of the original deed as recorded in Liber B. G. F. No. 7 folio 62. one of the Land records of Frederick County.

In testimony whereof I hereunto subscribe my name and affix the seal of the Circuit Court for Frederick County, this 9<sup>th</sup> day of October A. D.



Filed Oct 9<sup>th</sup> 1867

Daniel S. Biser, Clerk