

a daughter Adda now married to William S. Messer, a son William S. Webster a son George W. Webster, all adults, and the following children infants under the age of twenty one years and residents of Frederick County, State of Maryland to wit: Charles Edward Webster, David Luther Webster, Jacob Francis Webster and Ellen Webster ~

Your Petitioner further states that said John B. Webster, never entered into possession of the property devised to him, and the said Thomas Webster as Trust for his children, never executed the trust, and never supported the widow of said Testator during her life, and many years ago left the State of Maryland and whether living or dead, Your Petitioner does not know ~

Your Petitioner further states that the widow of said William Webster, he entered into the possession of the said real estate as devised as aforesaid to your Petitioner in trust for his children, and appropriated the issues and profits to the use of said children, and the support of the widow of said William Webster, until her death. ~

Your Petitioner further states, that the property so devised did not thirty three acres of land ~ That in its best condition it only gave a limited support to his children ~ That within the last few years the barn on the premises has been burned, and the property has not been kept in order - and was deteriorating in value, and that by reason of the loss of the barn, the destruction of fences, the want of repairs to the buildings - and the want of means to renew the barn and to make necessary and indispensable repairs - the property did not yield an adequate support to his children, and was lessening in value ~

Your Petitioner further states that Emanuel D. Schupp and Harriet Stupp his wife William M. Messer and Adda S. Messer his wife, James B. Hinney and Christiana Anna Hinney his wife, William S. Webster and Mary Webster his wife, and George Webster, the adult children of said Thomas Webster, being satisfied, that the interests and advantages of all parties interested would be promoted by a sale of said premises, and the investment of the proceeds of such sale in more productive property on the 14<sup>th</sup> day of March in the year 1868, Executed a deed to said Thomas Webster, Empowering him to sell the property so devised, and all their interest therein, and to invest the proceeds of such sale, in other and more productive real estate, subject to the trusts of the will of the said William Webster deceased, in behalf of the children of the said Thomas Webster. ~

Your Petitioner further states that on the 14<sup>th</sup> day of March in the year 1868, he was duly appointed guardian of the person and estate of Charles Edward Webster, David Luther Webster, Ellen Webster and Jacob Webster, his infant children, as will appear by a certified copy of such appointment herewith Exhibited marked Exhibit No 2. ~

Your Petitioner further states that under the power contained in the deed of Trust Executed to him as aforesaid by his adult children and as Father and actual guardian of Charles Edward Webster, David Luther Webster Francis Webster and Ellen Webster he has subject to the confirmation of your Honorable Court - the land containing nineteen and a half acres of land, to William Keller at and for the sum of one hundred dollars per acre, the nine acre lot to said William Keller for the sum of two hundred dollars, and the five acre and a half a/c to Cohen, Sifford at need, for the sum of one hundred dollars, and which lands are more particularly described in the plat herewith Exhibited marked Exhibit No 3 ~

In tender consideration whereof, and in as much as your Petitioner is reminded by the strict rules of Common Law, and only relivable in a court of Equity where matters of such nature are properly cognizable, and to the end that the defendants hereinafter named may answer the charges and allegations of

Exhibits