five square perches of land particularly described in the deed from Samuel Bowles and wife to said Joel Keller, a true and certified Copy whereof is filed herewith as Exhibit No. 3 ~ Also of a tract of land containing eleven and one half Acres particularly described in a deed from Susan Keller and others to said Joel Keller, a true and Certified Copy whereof is filed herewith as Exhibit No 4; Excepting therefrom four and three quarter acres conveyed by said Joel Keller to Matilda Wise and John Wise by deed recorded in Liber B. G. F. No. 6 folio 216 ~ Also of a small tract of Eighteen square perches of land particularly described in a deed from Solomon Smith and others to said Joel Keller, a true and certified Copy whereof is filed herewith as Exhibit No. 5 ~ That said Joel Keller died leaving as his heirs at law the following named Children, viz; Malinda intermarried with Jacob Michael Mary R. intermarried with George H Kefauver, Charles W Keller, who are adults, Jacob F., Amanda E, Sarah J, and Emma F. Keller, who are infants under the age of twenty one years. ~ That said real estate descended to and vested in said Children as his heirs at law ~ That said real estate cannot be divided among said Children and heirs at law without great injury and loss. ~ That these Complainants do not elect to take said real estate under the provisions of Article of the Code of Public General Laws, entitled "Inheritance", and that it will be to the interest, benefit and advantage of said Children and heirs at law, infants as well as Adults, ~ That said real Estate should be sold by a Trustee, and the proceeds of sale distributed among said heirs at law under the discretion of your Honor according to their respective rights and interests; Your Orators further state that the part of "Middle Creek Farm" lying on the East side of Catoctin Creek devised to Joel Keller, was on the 29th day of May 1851 Conveyed by said Joel Keller to Margaret Derr ~

To the end therefore that the said Jacob F Keller, Amanda E, Keller, Sarah J Keller and Emma F. Keller may answer all and singular the charges and matters aforesaid, and that said real Estate may be sold, and the proceeds of sale distributed among the parties entitled thereto, and that Your Orators 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 ~ May it please your Honor to grant unto your Orators the State of Maryland's Writ of Subpoena to be directed to the said Jacob F. Keller, Amanda E. Keller, Sarah J. Keller, and Emma F. Keller of Frederick County, thereby Commanding them to be and appear before your Honor in person or by Solicitor to answer all and singular the premises and to stand to, abide and perform, such order and decree therein as to your Honor shall seem meet, and your Orators will ever pray &c ~

Filed Dec. 24th 1866 ~

G Eichelberger, Solicitor
for Complainants

Exhibit No. 1. Abstract, from the Last Will and Testament of Jacob Keller late of Frederick County deceased, as filed and recorded in the Office of the Regr. of Wills of Frederick County Maryland ~

Item, I give and bequeath to my son Daniel the farm on which I now reside called "Pleasant Retreat" or "Middle Creek Farm" excepting so much out of said farm as lies on the East side of Catoctin Creek, and adjoining the lands of Jacob Derr, and bounded by the two first lines of said tract of land called "Pleasant Retreat" and the Meanderings of said Creek ~ For the balance of which farm, my said Son Daniel shall be charged at the rate of Forty dollars per Acre for each and every acre Said farm may Contain after the land excepted above is taken out ~

And my Said Son Daniel Shall be Subjected to the following Annual Payments, Viz, Commencing with the first payment One year after my death and to consist of Five Hundred hundred Dollars, and so from year to year till the whole is paid, reserving however so much out of the aggregate Sum to which said