

Bill

To the Honorable the Judges of the Circuit Court for Frederick County sitting as a Court of Equity. ~

The Bill of Complaint of Lawson H. Smith and Sarah his wife of Washington County in the State of Maryland, Joseph C. McAlister and Sarah his wife of the State of Indiana, Mary C. Smith of Washington County in the State of Maryland, and Daniel W. Riffel and Jane R. his wife of Frederick County in the State of Maryland humbly shew, That heretofore a certain Mary A. Smith, late of Frederick County deceased, was in her lifetime seized and possessed of certain real estate lying and being in Frederick County in the State of Maryland, which real estate is fully described in a deed from Edward Routhahn and wife to said Mary A. Smith, and in a deed from George W. Summers and wife to said Mary A. Smith, certified Copies of which deeds, are herewith filed marked respectively Exhibits Nos. 1 and 2 which with all other Exhibits herewith filed or to be filed, your Complainants pray may be taken as part of this Bill of Complaint. ~

Your Complainants further state that the said Mary A. Smith being thus seized and possessed of said Real Estate, on or about the Thirty first day of March in the year Eighteen hundred and Seventy One, departed this life intestate, leaving the following her only Children and heirs at law, namely, a Son, Lawson H. Smith, who is an adult and one of your Complainants, a Daughter, Sarah R., now wife of Joseph C. McAlister both of whom are adults, and are Complainants in this Cause; A Daughter Mary C. Smith who is an adult, and is one of your Complainants; and is unmarried, a daughter Amanda R., who is an adult residing in Frederick County and is now the wife of William H. Poffenberger who is an infant under the age of twenty one years, residing in Frederick County; a daughter Jane R. now wife of Daniel W. Riffel, both of whom are adults and Complainants in this Cause, a son, George W. Smith who is an infant residing in Frederick County. ~

Your Complainants further state that William Smith the husband of said Mary A. Smith, died in or about the year Eighteen hundred and fifty six, and before the death of said Mary A. Smith. ~

Your Complainants further state that said Real Estate is not susceptible of advantageous partition among the parties interested, and that it would be for the interest and advantage of all the parties interested, infant as well as adult, that the same should be sold under the Order and decree of your Honorable Court, and the proceeds of sale distributed among the parties entitled in proportion to their respective interests, and your Complainants hereby waive all rights of Election, under the laws of Maryland, as will be seen by an agreement herewith filed, marked Exhibit No. 3. ~

To the end therefore that the said William H. Poffenberger and Amanda R. his wife, and the said George W. Smith, and the said Joseph W. Smith, may answer the premises; and that a decree may be passed for the sale of the aforesaid Real Estate, and the proceeds of sale be distributed amongst the parties entitled, in proportion to their respective interests, and that your Complainants may have such other and further relief as their case may require. ~

May it please your Honors to grant unto your Complainants the writs of Subpoena against the said William H. Poffenberger and Amanda R. Poffenberger his wife; and the said George W. Smith and

Exhibit

Exhibit