Bill

No. 3850 Equity.

To the Honorable the Judges of the Sixth Judicial Circuit of the State of Maryland, sitting in the Circuit Court for Frederick County, as a Court of Equity.

The bill of Complaint of Josiah A. Staley of the State of Ohio respectfully represents to your Honors, that sometime during the month of September or August in the year Eighteen hundred and Seventy two a certain John Staley of J. died intestate seized and possessed of certain Real Estate situate and lying in Frederick County, State of Maryland, mentioned and described in a deed from John Lewis and Wife, and Lewis Brunner to a certain Martin Miller which will appear by reference to a certified copy of the said Deed hereunto exhibited marked Exhibit No 1 which your Complainant prays together with all other Exhibits hereinafter produced may be taken and considered as part of this his Bill of Complaint, the same as if set forth in words and figures. Your Complainant further states that the said John Staley of J. in his lifetime, bought from the said Martin Miller the said Land and paid the entire purchase money for the said Land to the said Martin Miller and that the said Martin Miller and Susan R Miller his Wife conveyed the said Land to the said John Staley of J. in his lifetime by a good and sufficient Deed for the same, which deed by the neglect or carelessness of the said John Staley of J. was not recorded and has been lost or mislaid. Your Complainant further states that the said John Staley of J. died intestate as aforesaid leaving a Widow named Joanna Staley him surviving, and the following children his heirs at Law to whom said Land descended viz:

1st " Josiah A Staley a son who is the Complainant and of full and lawful age.

2nd " John H Staley a son who is an infant under the age of twenty one years.

3d " Mary J Staley a Daughter who is an infant under the age of twenty One years

4th " Milton Grant Staley who is an infant under the age of twenty One years.

5th " Lottie Elizabeth Staley who is an infant under the age of twenty One years

Your Complainant further states that the said Martin Miller and Susan R Miller his wife reside in the State Pennsylvania, beyond the Jurisdiction of this Court, and that the said Joanna Staley, John H Staley, Mary J. Staley Milton Grant Staley and Lottie Elizabeth Staley reside in Frederick County, State of Maryland. Your Complainant further states that the said Land is not susceptible of partition among the parties interested without loss or injury, and that it will be to the interest and advantage of all the parties interested that the Real Estate in the proceedings mentioned be sold under a decree of your Honorable Court, and the proceeds of sale divided among those interested according to their respective interests. To the end therefore that the Defendants hereinafter named may answer the matters and things hereinbefore named and that the Real Estate in the proceedings mentioned be sold under a Decree of your Honorable Court and the proceeds of sale divided among those interested according to their respective rights