

that said Real Estate shall be sold by a Trustee to be appointed for the purpose and the proceeds of sale distributed under the direction of your Honor among the parties entitled according to their respective interests but your Orators allege that C. Columbus Griffith one of said devisees on the death of said Rachel Griffith took and still holds exclusive possession of said Real Estate and refuses to agree to a sale thereof but claims title to the same under some supposed and pretended devise by said Rachel Griffith when in fact as your Orators are advised and charge the said Rachel had no right or power to dispose of said Real Estate and said C. Columbus Griffith has no other or further right title or interest therein than as one of the children and heirs of said Rachel Griffith under the provisions of said last Will and Testament of said Lyde Griffith and as one of the devisees thereof under said last will and Testament. To the end therefore that the said Ann Watkins Lyde Griffith and Louisa his wife John A Griffith, Anna Mary Griffith and C. Columbus Griffith may answer all and singular the charges and matters aforesaid and that said Real Estate may be sold by a Trustee to be appointed for the purpose and the proceeds of sale be distributed among the parties entitled according to their respective interests 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 Lyde Griffith and Louisa Griffith his wife and to the said Anna Mary Griffith of Frederick County and to the said Ann Watkins C. Columbus Griffith and John A Griffith of Montgomery County thereby commanding them and each of them to be and appear in your Honorable Court in person or by Solicitor on a day therein to be named to answer all and singular the charges and matters aforesaid and to stand to abide by and perform such order and decree therein as to your Honor shall seem meet. And your Orators will ever pray &c

Thayer Dickelberger
Sols. for Compls.

Filed Oct 4 1866

Exhibit 1. In the name of God, amen, Lyde Griffith of Montgomery County in the State of Maryland, in health of body, mind memory and understanding do therefore make publish and declare this my last Will and Testament in manner and form following to wit:

Item: I give and devise unto Henry my eldest son the plantation whereon he now dwells two hundred Acres it being a part of Griffith Bang to him and his heirs forever.

Item: I give and devise unto Lyde my second Son two hundred and fifty Acres whereon he now dwells it being a part of Griffith Bang to him and his heirs forever in fee.

Item: I give and devise unto Charles my third son the place or farm whereon Walter Appleby now dwells two hundred Acres Sixty three