

Abner Neal be and he is hereby appointed special Auditor to whom this cause is hereby referred to state an account which shall be subject to the further order of this Court, the Trustee is allowed the usual commission and expenses the Voucher for the expenses to be filed with the special Auditor.

Wm A Hayden  
Judge of the Ct Court.

I hereby certify that the foregoing are true copies of the original papers filed in said cause in the Circuit Court for Carroll County.



In testimony whereof I hereto set my hand and affix the seal of the Circuit Court for Carroll County this 13th day of November A.D. 1873.  
Filed Nov. 14. 1873.

Jno B Boyle Clk.

No. 3475 Equity.

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

Humbly complaining shows unto your Honors, your Orators and Oratrices Abraham Howell and Isabella A his wife Samuel Haam and Josephine E. his wife and John A Melly Guardian and Prochein Amic of John H J Melly who is an infant under 21 years of age all of Frederick County in the State of Maryland, that heretofore a certain John Shely of Frederick County deceased was in his lifetime possessed of certain Real Estate lying and being in Frederick County and which was conveyed to him by a certain Henry Shely by indenture bearing date the 23rd day of March in the year 1823 and recorded in Liber J. B No. 16 folio 471 one of the Land Records for Frederick County as will more fully appear by a copy of said deed herewith filed and marked Exhibit A and which is prayed to be taken and considered as part of this Bill as Complainant, and being so thereof seized and possessed the said John Shely in or about the 19th day of May in the year 1869 departed this life intestate leaving as his only heirs Abraham Jacob Shely his son and a daughter Susan E Wardman who is now married to a certain Jesse A Mamma and your Oratrices Isabella Howell and Josephine Haam Adults and John J H Melly who is an infant under 21 years of age and who are the only surviving children of a certain Mary Ann daughter of the said John Shely and who was married to the said John A Melly and departed this life many years before the decease of her father the said John Shely and your Orators and Oratrices charge that said Real Estate is not susceptible of division or partition among the parties aforesaid is not susceptible of division or partition among the parties aforesaid with advantage to them and that your Orators and Oratrices are entitled to have the same sold and the proceeds thereof distributed among the said parties in proportion to their respective interests, And your Orators and Oratrices charge that it will be for the interest and advantage of the said infant John J H Melly and also of the all the other parties to sell the aforesaid Real Estate and to divide the proceeds thereof as aforesaid and your Orators and Oratrices are advised