

that a sale thereof cannot be had without the assistance of this Honorable Court, to the end therefore that the said Land and premises may be sold under the direction of your Honors and that the proceeds thereof may be divided among the parties aforementioned in proportion to their respective interests and that your Orator may have such other and further relief in the premises as in Equity they may be entitled to

May it please your Honors to grant unto your Orator and Co-pleaders the Writ of Subpoena directed to said Jacob Shely and Jewett Mumma and Susan E. Mumma his wife commanding them to be and appear in your Honorable Court on a day to be therein named to answer the premises and abide by and perform such decree as may be passed therein or in default thereof that said Bill of Complaint may be taken as against them for confessed and further to direct a Commission to be issued to a Commissioner to assign a Guardian ad litem for said infant John J. H. Hutz and take his answer by said and return the same, and your Orator and Co-pleaders will ever pray

Wm. P. Haubly &  
Wm. P. Haubly Jr.  
Solicitors for Complainants.

Filed July 27. 1869.

"Exhibit A"

At the Request of John Shealey the following Deed is recorded 16. Sept. 1823, to wit:

This indenture made the 23rd day of March in the year of our Lord 1823 between Henry Hutz of Adams County in the State of Pennsylvania of the one part and John Shealey of Frederick County in the State of Maryland of the other part, Witnesseth that the said Henry Hutz for and in consideration of the sum of Eight hundred dollars current money to him in hand paid by the said John Shealey at and before the sealing and delivery of the presents the receipt whereof the said Henry Hutz doth hereby acknowledge and himself therewith to be fully satisfied and paid hath granted and sold and by these presents do grant bargain and sell convey and confirm to him the said John Shealey his heirs and assigns all that part of a tract or parcel of Land called "Benjamin's Good Luck" lying and being in Frederick County aforesaid reserved originally on the 27th October 1768 granted by Benjamin Hays for Eleven hundred and Eighteen Acres, Beginning for the part hereby sold at the end of 104 perches on the 11th course of said Land and running thence North 65° West 101 ps. North 52° West 20 ps. South 2° East 22 ps. South 30½° West 17 ps. South 67° East 64 ps. South 11° East 20 ps. North 52° East 22 ps. North 2° East 18 ps. then with a straight line North 16½° East 73 ps to the place of beginning containing 61 acres of Land more or less together with all the rights, profits and advantages to the same belonging or in any wise appertaining to have and to hold the said parcel of Land with the appurtenances to him the said John Shealey his heirs and assigns to him and their only proper use and behoof forever and to and for no other use intent or purpose whatsoever and the said Henry Hutz for himself and his heirs doth hereby covenant and agree to and with the said John Shealey his heirs and assigns that he the said Henry Hutz and his heirs the aforesaid tract or parcel of Land with the appurtenances unto him the said John Shealey his heirs and assigns will warrant and forever defend from and against all persons claiming any right thereto by from or under him the said Henry Hutz has hereunto set his hand and affixed his seal the day and year