Amended Bill

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 amended Bill of Complaint of William Pratby Thompson of Frederick County State of Maryland respectfully shows to your Honors, that a certain Peter Cutsail by his last Will and Testament duly executed to pass Real Estate and dated on the 31st day of May in the year 1827 among other devises and bequests devised and bequeathed as follows: Item He gave and devised to his wife Mary Cutsail One third part of his farm whereon he then dwelt known by the name of part of a tract of land called "Moab" containing 150 Acres of land more or less during her life only provided she shall remain unmarried and after her death or in case of her marriage then he gave and bequeathed the same One third part of his farm as above mentioned to his youngest daughter Sally Cutsail to her the said Sally and the heirs of her body lawfully begotten but in case of the death of said Sally without lawful issue then he gave and bequeathed the said One third part of his farm as above mentioned to his seven other children all of which will appear by reference to the original bill and Exhibit No. 1 therewith filed which your Complainant prays may be taken as part of this his amended bill

The original bill further states that said Mary Cutsail the widow of said Peter Cutsail renounced the provisions of said Will a copy of said renunciation being filed with said original bill as Exhibit No 2, and which your Complainant prays may be taken and considered together with all other Exhibits hereinafter produced as a part of this his amended bill. The bill further charges that the said Mary occupied about 50 Acres of the said farm up to the date of her death which event occurred sometime in the year 1868 and that Henry Stier the Executor of the last Will of Peter Cutsail sold all the residue of said lands to Dennis H Barnes and conveyed the same to him by Deed as appears by reference to a certified copy of said Deed exhibited with the original bill marked Exhibit No 3. The bill aforesaid further charges that by the terms of the Will aforesaid the fee of the One third part thereof was vested in the said Sallie Cutsail, And that the lands mentioned aforesaid upon which Mary Cutsail the widow of the said Peter Cutsail resided being the only portion of the Estate of said Peter remaining unsold is the part or portion thereof devised by the said last Will and Testament to the said Sally. The Original bill further charges that said Sallie died before her said mother some years ago leaving your Complainant and Charles Thomas Thompson Sarah Elizabeth Thompson and John Thompson her only children and heirs at law to whom said lands descended as tenants in common, and that the legal title to said lands was and is in your Complainants subject to the life Estate of the said Mary, and that said Charles, Sarah E and John Thompson are infants under the age of twenty one years and reside in Frederick County. The original bill further charges that said lands cannot be divided without loss and injury to the parties interested, and that it would be to the interest and advantage of all the parties that the