but that said Henry Remsburg did not devise the Real Estate described in said Exhibit No. 1, and as to said Real Estate died intestate, as will appear from a certified copy of said Will herewith filed as Exhibit No. 2.

Your Complainants further state that said Real Estate described in said Exhibit No. 1 is not susceptible of partition among the parties entitled thereto with loss and injury to them and that it will be to the advantage of all parties entitled thereto and interested therein infant and Adults that the same be sold and the proceeds thereof divided among the parties entitled thereto in proportion to their respective rights. To the end therefore that the Defendants hereinafter named may answer the premises, and that a Decree may be passed by your Honorable Court for the sale of the said Real Estate, and that your Complainants may have such other and further relief as the nature of their case may require. May it please your Honors to grant unto your Complainants a Subpoena directed to the said Morgan H Remsburg, Anna Remsburg, Emory Remsburg and Elizabeth Remsburg all of Frederick County, commanding them to be and appear in this Court on some certain day to be therein named to answer the premises and abide by and perform such Decree as may be passed therein, And may it further please your Honors to grant unto your Complainants an Order of Publication giving notice to Ninian H Remsburg and Sophia Remsburg his wife George Edward Remsburg, Lloyd A Remsburg and Ida M Remsburg who are non-residents of the State of Maryland of the substance and object of this Bill and warning them to appear in person or by Solicitor in this Court on some certain day to be named therein to show cause if any they have why a Decree should not pass as prayed.

And as in duty bound &c

C. V. S. Levy
Solicitor for Complainants.

Filed April 20. 1877

Exhibit No. 1

This Deed made this 3rd day of June in the year 1865 by Josiah Remsburg of Frederick County State of Maryland Executor of the last Will of Henry Lighter late of Frederick County deceased, Witnesseth that in consideration of the sum of Five hundred and fifty two dollars and seventy cents have bargained and sold to Henry Remsburg of Frederick County in the State of Maryland, all that piece or parcel of Land lying and being in Frederick County described as follows: For part of a tract of Land called "The Resurvey on Turkey Range" being part of said tract of Land deeded to Henry Lighter deceased by John Safford dated on the 20th day of October 1848 for 5¾ Acres. Beginning for the outlines of the part now intended to be conveyed at the corner of a Lot of Land formerly owned by George Bowlus others and running thence in part with the East side of Sellers Lot S8¼° E 18 64/100 Ps. S57¾° E31 Ps to the centre of the County road and with it N27¾° W16 1/10 Ps. S59½° W24 4/10 Ps. to the place of beginning containing 2 Acres 3 Roods and 23 Perches of Land in fee simple.

Witness my hand and seal

Test
Ezra Minnick

Josiah Remsburg (Seal)
Executor.