

No. 4445 Equity

3rd Wallace Powell, a son, who died intestate in October A. D. 1878, unmarried and without children

4th Your Complainant Geo. Powell, a son.

5th John A. Powell a son

6th Rosanna Staub, a daughter and wife of Jacob Staub.

That upon the death of said Chas. Powell, his interest in said real estate descended to his said brothers and sisters.

Your Complainant would further charge that said William Powell died leaving a widow named Christiana M. Powell and that she died intestate in the year 1876, seized and possessed of about one acre of land lying contiguous to said other tract & particularly described in a deed from David Homer to said Christiana M. Powell a certified copy of which is filed herewith marked Exhibit No. 3; that said Christiana M. Powell left the following as her only heirs at law, viz:

1st said William and Elizabeth Roberts who are children of said Florence Roberts decd. who was a daughter of said Christiana M. —

2nd Wallace B. Powell, a son who died intestate as before stated in Oct A. D. 1878.

3rd Your Complainant Geo. Powell a son.

4th John A. Powell a son

5th Rosanna Staub, a daughter, and wife of Jacob Staub.

That said John A. Powell by his deed dated the 11th day of December A. D. 1876, conveyed all his interest in all of said Tracts or parcels of Land to one Andrew M. Geisbert and said Andrew M. Geisbert & wife by their deed dated July 21st A. D. 1877, conveyed said interest to said Wallace B. Powell, as will appear by certified copies of said deeds filed herewith marked Exhibits Nos. 4 & 5; And said Rosanna B. Staub and Jacob A. Staub her husband by their deed dated the 17th day of May A. D. 1877, conveyed all of their interests in said tracts or parcels of land to said Wallace B. Powell, as will appear by a certified copy of said deed filed herewith marked Exhibit No. 6, that said Wallace B. Powell died intestate as aforesaid, leaving as his heirs at law said William & Elizabeth Roberts children of said Florence Roberts decd. who was a sister of said Wallace B. Powell and your Complainant Geo. Powell, & John A. Powell and Rosanna Staub as his brothers and sisters, that all of said real estate is now owned by your Complainant & the said William & Elizabeth Roberts John A. Powell and Rosanna Staub as tenants in common; that said William & Elizabeth Roberts are infants under twenty one years of age and all of said parties live in Frederick County except said John A. Powell and said John Roberts, who has an interest as tenants by courtesy in the interest of which said Florence Roberts was seized and possessed at the time of her death, who are non-residents of the State of Maryland; that said real estate will not admit of division among said parties in interest without injury & loss, and it would be to the interest and advantage of all, infants as well as adults, for said real estate to be sold and the proceeds distributed among them.

In tender consideration whereof and for that your complainant is remediless in the premises by the strict rules of the common law and