

## No 2445 Equity

6th, Rosanna Staut, a daughter, wife of Jacob Staut.

That upon the death of said Charles Powell, his interest in said real estate descended to his said brothers & sisters

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

1st. said William & Elizabeth Roberts who are children of said Florence

Roberts dec'd, who was a daughter of said Christiana M.

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

3d. Your Complainant, Geo. Powell, a son.

4th. John A. Powell a son.

5th Rosanna Staut, a daughter, wife of Jacob Staut

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 as above stated & marked Exhibits Nos. 4 & 5. — And said Rosanna Staut & Jacob Staut, her husband, by their deed dated the 17th day of May A. D. 1877, conveyed all their interest in said tracts or parcels of land to said Wallace B. Powell, as will appear by a certified copy of said deed marked Exhibit No. 6 & filed as above stated, that said Wallace B. Powell died intestate as aforesaid, leaving as his heirs at law said William & Elizabeth Roberts, children of said Florence Roberts dec'd, who was a sister of said Wallace B. Powell, and your Complainants Geo. Powell, & John A. Powell & Rosanna Staut as his brothers & sisters; that all of said real estate is now owned by your Complainant & the said William & Elizabeth Roberts, John A. Powell & Rosanna Staut as tenants in common; that said William & Elizabeth Roberts are infants under the age of twenty one years & all of said parties live in Frederick County except said John A. Powell & said John Roberts who has an interest as tenant by courtesy in the interest of which said Florence Roberts was seized & 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 & advantage of all, infants as well as adults, for said real estate to be sold & the proceeds distributed among them.

The bill prays for a sale of said real estate & for general relief & asks for a subpoena against said resident parties in interest & for an order of publication against said John A. Powell & John Roberts who are non-residents of the State of Maryland.

It is thereupon adjudged and ordered that the Complainant by causing a copy of this order to be inserted in some newspaper published in Frederick County once in each of four successive weeks, before