No. 4681 Equity

These Complainants further represent and charge that there is no power of Sale conferred on the Executor of said last will and testament, and that he is unable to execute the same without the aid of this Honorable Court, and they further charge that said real estate is not susceptible of division amongst the parties aforesaid, and that it would be to the interest and advantage of all of said children and heirs at law, and especially the infants, minnie S. A. Staley, Annie M. Staley and Charles E. Staley, to have the said real estate sold, and the proceeds distributed amongst the parties as provided for in said last will and testament

To the end therefore that the said Mary C. Staley, Lewis A. Reese, and Louisa Reese his wife, Blackford W. Knode, and Caroline Knode his wife, Minnie S. A. Staley, Annie M. Staley and Charles E. Staley, may answer the premises, and that the real estate mentioned and described in said Exhibits Nos. 1 and 2, may be sold under the direction of this Honorable Court and the proceeds thereof distributed amongst the said children and heirs at law of the said Ezra Staley, deceased, according to the terms of his said last will and testament: And that your Complainants may have such further or other relief as their case may require.

May it please your Honors to grant unto your Complainant the writ of subpoena against the said Mary C. Staley, Lewis A. Reese and Louisa Reese, his wife, Minnie S. A. Staley, Annie M. Staley and Charles E. Staley of Frederick County, commanding them and each of them to appear in this Court, at some certain day to be therein named, to answer the premises, and abide by and perform such decree as may be passed therein, and also to grant unto your Complainants an order of publication, giving notice to the said Blackford W. Knode, and Caroline Knode his wife, non-residents, of the substance and object of this bill, and warning them and each of them to appear in this Court in person or by Solicitor, on or before a certain day to be named therein to answer the premises and show cause if any they have why a decree ought not to pass as prayed,

And as in duty bound will ever pray &c.

J. C. Motter
Solicitor for Complainants.

Filed March 30, 1881.

At the request of Ezra Staley the following Deed is recorded the 6th day of April, 1840

This Indenture, made this thirty first day of March, in the year of our Lord Eighteen hundred and forty: Between George Wofler and Catharine his wife of Frederick County in the State of Maryland of one part and Ezra Staley of the same County and State aforesaid of the other part. Witnesseth, that the said George Wofler and Catharine his wife for and in consideration of the sum of three thousand and seven hundred dollars, current money to them the said George Wofler and Catharine his wife in hand paid by the said Ezra Staley the receipt whereof of the said George Wofler and Catharine his wife doth hereby acknowledge, hath granted, bargained and sold and by these presents doth grant, bargain and sell unto the said Ezra Staley his heirs and assigns, all that part of a tract of land called Jaskers Chance situate lying and being in in Frederick County aforesaid, containing thirty one acres and three fourths of an acre of land more or less, it being part of the same tract of land heretofore conveyed by Daniel Bonty unto the said Wofler by deed bearing date the twenty fifth day of March eighteen hundred and forty, reference being had to said deed will fully and at large appear. Together with all and singular the buildings, improvements, hereditaments, and appurtenances whatsoever thereunto belonging, or in any wise appertaining, and the reversions and remainders, rents, issues and profits thereof, and all the estate, right title and interest, whatsoever of them the said George Wofler and Catharine his wife, both at law and Equity, of, in, to, and out of the said tract of land and premises, hereby bargained and sold, or meant, mentioned or intended hereby to be, and every or any part or parcel thereof. To have and to hold, the said Land to the said Ezra Staley