

No. 4590 Equity.

To the end therefore, and in as much as your Complainant is remedied in the premises by the strict rules of the Common Law and is only remediable in a Court of Equity where such matters are properly cognizable and relivable, and to the end that a decree may be passed by your Honorable Court for a sale of the aforesaid Real estate and the proceeds arising therefrom be equally divided among among those interest and your Complainant have such other and further relief in the premises as the nature and equity of his case may require, I may it please your Honorable Court to grant unto your Complainant the writ of Subpoena directed to the said John T. Clay and Rezsiah Clay his wife, Marietta Trayer and William H. Trayer her husband, Arthur T. Clay and Susannah Clay his wife, Rosa Christ and Harry Christ, commanding them and each of them to be and appear in your Honorable Court on a day certain to be therein named to answer the premises and abide by and perform such decree as may be passed therein.

And your Complainant will ever pray &c
J. E. R. Noel
Sol. for Complainant

Filed May 11, 1881

Theodore A. Clay
@
John C. Clay, et al

No. 4590 Equity.
In the Circuit Court for Frederick County, in Equity

Petition to file Amended Bill

The Petition of the Complainant respectfully shews unto your Honorable Court, that in filing the Original Bill in this Cause he omitted to state some matters and things which he desires now to state, and that some facts have come to his knowledge since the filing of said Bill to wit, that one of the two ^{infant} children named is a resident of the State of Missouri, and other matters and facts material and proper to be stated, and as in duty bound &c

And

Filed April 4th 1881

J. E. R. Noel
Sol. for Complainant

Court's Order

The foregoing petition having been read and considered, it is thereupon this fourth day of April A. D. 1881, by the Circuit Court for Frederick County, sitting in Equity, and by the Authority thereof, ordered, adjudged and decreed, that the Complainant be, and he is hereby granted leave to amend the Bill of Complaint as prayed in the foregoing petition.

Filed April 4th 1881

Jno. Ritchie
Judge of the Cir. Court.

Exhibit No. 1

I, Annie Clay, by this my last Will and Testament, do hereby direct that all my property both Real and personal shall be sold and the proceeds divided into five equal parts between my three sons and one daughter and two grand children, being the children of my deceased daughter Artemesia Christ, viz. One fifth to John Christopher Clay; One fifth to Theodore Appeler Clay; One fifth to Arthur Sazzy Clay; One fifth to Marietta Trayer, and One fifth to Rosa and Harry Christ to be equally divided between them.

I do hereby constitute and appoint my son Theodore Appeler Clay,