

No 4853 Equity

To the Honorable the Judges of the Circuit Court for Frederick County, sitting as a Court of Equity:

The Bill of Complaint of Simon L. Harstler and Virginia C. Harstler his wife, Silas Harstler and Annie Harstler his wife, Newton S. Harstler, and Ira L. Harstler Florence A. Harstler and Annie R. Harstler infants, by their mother and next friend, Sarah Harstler, and Sarah Harstler in her own behalf, all of Frederick County, in the State of Maryland, respectfully represents unto your Honors, that sometime in the month of June in the year Eighteen hundred and Seventy Six, a certain Henry Harstler of Frederick County State of Maryland, departed this life seized and possessed of a certain tract tract of land situated, lying and being in Frederick County, State of Maryland, and containing four acres and three quarters and thirty two square perches of land, and fully described in a deed from William Metzger and Lydia Metzger his wife, to the said Henry Harstler a certified Copy of which deed as recorded among the land Records of Frederick County is herewith filed marked Exhibit No 1. to this Bill of Complaint which exhibit with all other Exhibits by the Complainants herewith filed, they pray may be taken and considered as a part hereof as fully as if herein inserted in words and figures. These Complainants further represent and charge that the said Henry Harstler died intestate, and left surviving him a widow named Sarah Harstler aged about 46 years, who is still living and the following named children and heirs at law, Simon L. Harstler married to Virginia C. Harstler his wife, Silas Harstler married to Annie Harstler his wife Newton S. Harstler, Ira L. Harstler Florence A. Harstler and Annie R. Harstler all of whom are residents of Frederick County, State of Maryland, and that all of said parties are adults over twenty one years of age, except, Ira L. Harstler, Florence A. Harstler and Annie R. Harstler who are infants under twenty one years of age & all of said parties are still living, that the said real estate described in Exhibit No 1. described to and vested in said children and heirs at law as tenants in Common on the death of the said Henry Harstler and that his widow Sarah has a dower right therein also, but that she is willing to have the same sold free from said dower and to accept in lieu thereof out of the proceeds of said sale so much money as under the rules of your Honorable Court she would be entitled to

These Complainants further represent and charge that said real estate is not susceptible of division among those entitled thereto without great loss and damage, and that it would be to the advantage of all, the above named parties, and especially the infants, to have the same sold and the proceeds divided among them according to their respective interests To the end therefore that the said Ira L. Harstler, Florence A. Harstler and Annie R. Harstler may answer the matters and things hereinbefore stated, and that said real estate described in Exhibit No 1. may be sold under the decree of this Honorable Court and that the proceeds may be divided among the said above named interested parties according to their respective interests, and that your Complainants may have such other relief in the premises as the nature of their case may require

May it please your Honors to grant unto your Complainants the writ of Subpoena directed to Ira L. Harstler, Florence A. Harstler and Annie R. Harstler of Frederick County State of Maryland, commanding them and each of them to be and appear in your Honorable Court on a day certain to be named therein to answer the premises and to abide by and perform such decree as may be passed therein

And as in duty bound they will ever pray &c

Metter & Gilpin

Filed December 21. 1882.

Solicitors for Complainants

Exhibits

Subpoena