

No. 4791 Equity

and injury, and that it would be to their interest and advantage to have the same sold under a decree of this Honorable Court and the proceeds arising therefrom to be divided among them according to their several interests.

To the end therefore that the said Josephine Elder and Mary Elder may answer the matters and things alleged in this Bill of Complaint, that the real estate mentioned in Exhibits Nos 1 & 2. maybe sold under the decree of this Honorable Court, and the proceeds arising therefrom maybe distributed among the above named interested parties according to their respective interests, and that your complainants may have such other and further relief as the matters of their case may require.

May it please your Honors to grant unto your Complainants the writ of Subpoena directed to the said Josephine Elder of Baltimore City Maryland, and Mary Elder of Frederick County Maryland commanding them and each of them to be and appear in your Honorable Court on a day to be named to answer the premises and abide by and perform such decree as may be passed therein

And as in duty bound will ever pray &c

Robert Gelpin

Solicitors for Complainants

It is agreed that a decree be passed for the sale of the land in the above cause reserving any questions for the further determination of this Court, and especially the question of the legacy of One thousand dollars to Mrs Elder and the interest thereon

Jos. C. Motter

Sol for Complainants

Charles W. Ross

Sol for Respondents

Filed May 9. 1882.

At the request of F Elder, the following Deed is Recorded 22nd May 1843 viz:

This indenture made this third day of April in the year of our Lord one thousand Eight hundred and forty three Between John Hobbs and Eleanor his wife of the County of Frederick in the State of Maryland of the one part and John F. Elder of the County and State aforesaid of the other part; Witnesseth that the said John Hobbs and Eleanor his wife in consideration of the sum of three thousand seven hundred and fifty five dollars current money of the United States, to them in hand paid by the said John F. Elder the receipt whereof is hereby acknowledged have granted, bargained and sold released aliened, conveyed and confirmed unto the said John F. Elder his heirs and assigns forever all that tract or parcel of land being part of a tract or parcel of land called Brookes Reserve which is contained within the courses & distances following that is to say Beginning at the end of one hundred & Eighty eight perches on the given line of a tract of land called "The Quarry on Buck Forest" and in or on the public road leading between the tract or parcel of land formerly owned by David White dec^d it being also the end of the first line of said David White's part of the said tract of land called Brookes Reserve and running thence by and with said Road S 44° W 40 ps S 2 1/2° W 175 ps to the end of seventy eight perches on the ninth line of the whole tract called Brookes Reserve then by and with said land S 31° E 12 ps S 40° E 30 ps, then N 82° E 162 ps to the end of fifty four perches on the seventeenth line of the whole tract aforesaid then with said line N 21 ps, then S 76° W 8 ps, N 10° West 10 ps S 26° W 10 ps, N 11° W 10 ps South 26° W 10 ps, N 10° W 147 ps, then by a straight line to the place of beginning; also all that tract or parcel of land adjoining the said last mentioned tract or parcel of land being a part of David White's part of said tract of land called Brookes Reserve situated in Frederick County State of Maryland which is contained within the courses and dis-