

No. 4940 Equity

by these plaintiffs herewith filed they pray may be taken and considered as a part hereof as fully as if herein inserted in words and figures

2nd. That the said Ignatius Jacobs died intestate and left surviving him a widow named Sarah Jacobs aged about 70 years and the following Children and heirs at law, Thomas Jacobs married to Mary his wife your orators, and Shmely Jacobs married to Catharine his wife, May Baker married to Jonathan Baker her husband, Henry Jacobs married to Jacobs his wife whose Christian name is unknown to the plaintiffs, William D. Jacobs married to Jacobs his wife whose Christian name is unknown, Jacob N Jacobs married to Jacobs his wife whose Christian name is unknown, Susan Harshman married to Sampson Harshman her husband, Benjamin F Jacobs married to Jacobs his wife whose Christian name is unknown and Ellen Wolf married to Cornelius Wolf her husband.

3rd That all of the above named parties are adults above the age of twenty one years

4th That all of the above named parties are residents of Frederick County State of Maryland, except Sarah Jacobs who is now resident of the State of Maryland and resides in the State of Pennsylvania, Shmely Jacobs and Catharine his wife who are now residents of the State of Maryland and reside in the State of Missouri, Jonathan Baker husband of May Baker who is a now resident of the State of Maryland and resides in the State of Iowa, Henry Jacobs and Jacobs his wife whose Christian name is unknown, Jacob N Jacobs and Jacobs whose Christian name is unknown Susan Harshman and Sampson Harshman her husband who are now residents of the State of Maryland and reside in the State of Indiana, Benjamin F Jacobs and Jacobs his wife whose Christian name is unknown who are now residents of the State of Maryland and reside in the State of Wisconsin, William D. Jacobs and Jacobs his wife whose Christian name is unknown who are non-residents of the State of Maryland and reside in the State of Missouri and Ellen Wolf and Cornelius Wolf her husband who reside in Cumberland Allegany County State of Maryland

5th That the said real estate descended and vested on the death of the said Ignatius Jacobs intestate to the heirs above named as tenants in common, subject to the dower right of Sarah Jacobs and that it is not susceptible of division among these entitled thereto, without great loss and damage and that it would be to the interest and advantage of all the above mentioned parties to have the same sold and the proceeds divided among them according to their respective interests.

6th Your Orators pray for the following relief to wit:

1st That the said real estate described in Exhibits Nos 1 2 3 4 5 6 & 7 may be sold under the decree of this Honorable Court.

2nd That the proceeds of said sale may be divided among the Plaintiffs and defendants according to their several interests

3rd That the plaintiffs may have such other and further relief in the premises as the nature of their case may require

7th Your Orators pray for the following process to wit:

1st That your Honors will grant unto the Plaintiffs the writ of Subpoena directed to May Baker wife of Jonathan Baker of Frederick County State of Maryland, and Ellen Wolf and Cornelius Wolf of Allegany County State of Maryland, Commanding them and Each of them to be and appear in your Honorable Court on some Certain day to be named therein to answer the premises and to abide by and perform such decree as may be passed therein

2nd That your Honors will pass an order of publication giving notice to the said non-residents and absent defendants, Sarah Jacobs, Shmely Jacobs and Catharine his wife, Jonathan Baker, Henry Jacobs and Jacobs his wife whose Christian name is unknown, William D. Jacobs and Jacobs his wife whose Christian name is unknown, Susan Harshman and Sampson Harshman her husband and Benjamin F Jacobs and Jacobs his wife whose Christian name is unknown of the object and substance of this Bill of Complaint and warning them and each of them to be and appear in your Honorable