

No 5087 Equity.

in the year Eighteen hundred and seventy-two in full payment of the said Julia A. Wolford's interest in said lands and for which she was always ready and willing to execute a Deed to your oratrix but her husband the said Charles Wolford failed, neglected, and refused to write with her in said deed to your oratrix but she and her said husband both united in a receipt to your oratrix which recites said six hundred dollars as being the full amount due the wife of the said Charles Wolford from her father's Estate which said receipt is filed herewith as part of this Bill and Marked Exhibit J

4th That afterwards to wit on or about the ninth day of August in the year Eighteen hundred and Seventy-three the said Julia A. Wolford died intestate without having made any conveyance of her interest in said lands to your oratrix.

(5) That said Real Estate owned by the said Jacob Tesser at the time of his death descended to his said nine children upon his decease and that five undivided parts thereof have been conveyed to your oratrix by the respective parties entitled thereto

(6) That said Real Estate is not susceptible of partition or division among the said parties now entitled thereto and that it cannot be divided without loss or injury to the parties entitled thereto that the same be sold and the proceeds divided among them according to their respective rights-

To the end therefore

(1) That a decree may be passed for the sale of said Real Estate.

(2) That the proceeds of sale may be distributed between the parties according to their respective rights and interests--

(3) ^{That your oratrix may and wish to further relief as her case may require} May it please your Honors to grant unto your oratrix the writ of Subpoena directed to the said Amos Tesser, Lydia W. Tesser Jr. and Hettie Tesser all adults and to the said Lydia Emeline Wolford, an infant, all of whom reside in said Frederick County commanding them and each of them to be and appear either in person or by Solicitor, in this Court on or before a certain day to be named therein, to answer the premises and abide by and perform such decree or may be passed therein and also pass an order of Publication giving notice to the said Charles Wolford and Jonas Ezra Wolford, both adults and to the said Charles Amos Wolford and William Andrew Wolford, both infants, all of whom reside in the state of West Virginia as aforesaid, who are all now residents of this State, of the object and substance of this Bill and warning them to appear in this Court in person or by Solicitor on or before a certain day to be named therein to show cause, if any they have, why a decree ought not to pass as prayed.

And as in duty bound &c

Eugene L. Rowe Solicitor for Plaintiff

State of Maryland, Frederick County, to wit I hereby certify that on the seventh day of May in the year Eighteen hundred and Eighty-five before me the subscribed a Justice of the Peace of the State of Maryland in and for Frederick County aforesaid personally appeared Lydia W. Tesser, ex the Plaintiff in the above Bill and made oath in due form of law that the matters and facts stated in the foregoing Bill are true to the best of her knowledge information and belief sworn before James Knuff, J.P.