

No. 5322 Equity -

children of said A. Rebecca Smith and by the said children of said Mary Ellen England, subject to the said decree for the sale of said last named share,  
7 That said Real Estate described in said Exhibit No. 1. is capable of partition and division into four equal parts, and of allotment to the said four several classes of owners, without loss or injury to the said owners -

8. That it will be to the Interest, and advantage, of the said several owners, both infants and adults, that said land be divided and partitioned between them, and that it will not be to their, or either of their interest, or advantage for the said land or any part thereof to be sold.

9. That the said Corilla Smith, Nettie Smith, Charles H. Smith, and Thomas Smith are now residents of the said State of Maryland, and that all of the other parties both plaintiffs and defendants are residents of the State of Maryland, and of said Frederick County -

10 That Your Orators and Oratrices pray for the following relief -

1. That a decree may be passed for the partition of said real estate described in said Exhibit No. 1. between the said owners thereof into four equal parts, or portions, with respect to quantity and value, and awarding One of said parts or portions to each of said four classes of owners;

2. That Commissioners may be appointed by Your Honors to lay off and partition said Real Estate as aforesaid -

3. That Your Orators and Oratrices may have such other and further relief as the nature of their case may require, and as to Your Honors may seem meet -

11. That Your Orators and Oratrices pray for the following process,

1. That a writ of subpoena may issue addressed to the said Annama Smith, Borden C. Smith, Ramsey W. Smith, Mary W. McSmith, Walter A. England, Nathan J. England, Mattie E. England, and Charles E. England, Emogene England, John W. England, and James M. Shury, all of Frederick County in the State of Maryland, commanding them and each of them to be and appear in this Court at some certain day to be therein named to answer the premises, and to stand to and abide by such decree as may be passed therein;

2. That an order of publication issue addressed to the said Corilla Smith, Nettie Smith, Charles H. Smith, and Thomas Smith, now residents of the said State of Maryland warning them of the substance and object of this Bill and commanding them to be and appear in this Court at some certain day to be therein named to answer the premises, and to abide by and perform such decree as may be passed therein.

And, as in duty bound &c

July 12<sup>th</sup> 1887) -

Jas M. Shury -  
Plaintiffs Solicitor -

At the request of A. Rebecca Smith & Others the following  
deed is recorded September 15<sup>th</sup> 1877.

Exhibit No. 1. This Deed made this fifteenth day of September in the year eighteen hundred and seventy - seven by me Eleanor Henry, of Frederick County in the State of Maryland. It witnesseth, whereas, I the said Eleanor Henry, am possessed of sundry parcels of Real Estate held by me under Titles hereinafter referred to more at large, by virtue of some which titles, I am empowered to dispose of the