

No. 5408 Equity.

in Liber A F No 11 folio 104 &c. One of the Land Records, of Frederick County a certified copy whereof is herewith filed, as part hereof Marked Exhibit No 3.

6 That said Catharine Clabaugh conveyed all her interest in said Real Estate to Sarah S. Boller, One of the Plaintiffs, by deed, dated, on the thirtieth day of April A. D. 1885, recorded in Liber W. S. P. No 4. folio 328. One of the Land Records of Frederick County, a certified copy whereof is herewith filed, as part hereof marked Exhibit No 4, but Thomas Clabaugh, the husband of said Catharine did not unite in said Deeds but said Sarah S. Boller is in Equity entitled to the funds arising from the sale of said Catharine Clabaugh's interests in said Real Estate.

7. That said George M. Harbaugh has executed a Mortgage upon his interest in said Real Estate to his wife Susannah M. Harbaugh which Mortgage is recorded in Liber W. S. P. No 5 folio 619 &c. One of the Land Records of Frederick County a certified copy whereof is herewith filed, as part hereof Marked Exhibit No. 5.

8 That said Real Estate, lands and Tenements cannot be divided without loss and Injury to the Parties Interested, and Plaintiffs, are entitled to have said Real Estate sold and proceeds of sale divided among the parties interested that.

The Plaintiffs pray for the following Relief -

1 That a decree may be passed by your Honorable Court for a Sale of said Real Estate and a division of the money arising from sale among the parties entitled thereto according to their respective Rights

2 And for such further and other relief as they may be entitled to.

Wherefore may it Please Your Honors to grant unto your complainants the writ of Subpoena, directed to the said Melba Ann Eyley and John K. Eyley her husband, Mary Isabella Harbaugh, Catharine Clabaugh and Thomas Harbaugh, her husband, George M. Harbaugh and Susannah M. Harbaugh his wife, Delilah Jacobs and George Jacobs her husband, William H. Harbaugh, Emma J. Miller and George Miller her husband, Diana A. Wastler and Jonas Wastler her husband and Manzella Harbaugh all adults residing in Frederick County commanding them and each of them to be and appear in this Honorable Court on some certain day to be therein named to answer the Premises, and abide, abide by and perform such decree as may be passed therein And as in duty &c

C. V. S. Levy
Solicitor for Plaintiffs

At the request of Henry Harbaugh of Jno. the following
Deed is Recorded May 22nd 1885

This Indenture Made this Eighth day of April Eighteen Hundred and Forty-three between John A. Valentine & Susan his Wife of Frederick County and State of Maryland of the One part and Henry Harbaugh of John of the same County and State, of the other part - Witnesseth that they the said John A. Valentine, and Susan his Wife for and in consideration, of the sum of fifteen hundred dollars - current Money to them in hand paid well and truly paid by him the said Henry Harbaugh of John before the sealing & delivery of these presents the receipt whereof they the said John A. Valentine, and Susan his wife, do hereby acknowledge, and thereby being fully satisfied, contented, and paid - shall grant, bargain, sell, release, enfeoffed & confirmed, and by these presents, doth grant, bargain, sell, release, enfeoff, and confirm unto him the said Henry Harbaugh