

No. 5592 Equity

1st Thomas W. Barber an adult male, who lives with his wife Cecilia Barber in Baltimore City, Maryland

2^d Henrietta E. Menner, an adult daughter who resides with her husband Mortimer S. Menner in Washington County Maryland.

3. & That since the death of the said Philip W. Hobbs as aforesaid, on the twenty seventh day of June in the year Eighteen hundred and Eighty, since the said Thomas W. Hobbs, Isabella W. Crawford, Warner H. Mathias, Henrietta E. Menner and Mortimer S. Menner her husband and Thomas W. Barber and Cecilia Barber his wife part of the heirs at law of the said Philip W. Hobbs as aforesaid conveyed all their right, title, interest and estate in and to said real estate by a deed duly executed and acknowledged, and now on record in Liber W. O. P. No. 9 folio 447th Book of the Land Records of Frederick County, unto your Oatrix the said Deborah E. Hobbs a copy whereof is herewith filed as Exhibit No. 2, by virtue of which deed your said Oatrix has become subrogated, all the interest and estate of said grantors in and to said land.

4. That said real estate is not susceptible of division between your said Oatrix and the remaining heirs at law of said Philip W. Hobbs, who have not joined in said deed, without great loss and injury, and that it would be to the benefit and advantage of all parties interested therein, both adults and infants, to have the same sold under a decree of your Honorable Court and the proceeds arising therefrom divided among said parties as they are severally entitled to participate therein -

Your Oatrix therefore prays your Honors to grant unto her the following relief -

1. To pass a decree for the sale of said real estate herein mentioned of which the said Philip W. Hobbs died seized and possessed and for the division of the proceeds of the sale thereof among the parties interested as above set out according as they are severally entitled -
2. To grant unto your Oatrix such other and further relief as may be necessary and to which she is entitled in the premises -

To the end therefore that your Oatrix may have the relief to which she is entitled -

May it please your Honors to grant unto her the writ of subpoena of the State of Maryland directed against the said Samuel Mathias and Catharine Mathias his wife, John W. Mathias and Delia E. Mathias his wife, Warner H. Mathias and Mary Mathias his wife, Jacob Mathias, John Haines (infant) and William Haines (infant) commanding them and each of them to be and appear in your Honorable Court on some certain day to be therein named to answer the premises and show cause if any they have why a decree should not be passed as herein prayed.

And as in duty bound &c.

Frank C. Norwood

Attorney for Plaintiff

Filed September 4, 1889.

Exhibit