No. 5810 Equity.

County, Maryland departed this life intestate, seized and possessed of certain parcels of real Estate situated lying and being in Frederick County Maryland, each of which parcels were conveyed to him in his life time by deeds duly recorded among the Land Records of Frederick County Certified Copies of which deeds, so recorded are filed herewith marked respectively Exhibits No. 1-2 & 3 which & Exhibits with all other Exhibits by the plaintiff filed herewith, he prays may be taken as a part hereof.

2nd That the said Samuel Stitely left no widow surviving him but the following Children, Grand Children and Great Grand Children or his heirs at law to whom said Real Estate described in Exhibits 1.2. & 3 descended and in whom it vested as tenants in common on the death of the said Samuel Stitely, to wit:

1. The Plaintiff John H. Stitely, a son
2. A Son, Joel A. Stitely, whose wife's name is Ellen Stitely.
3. A Son, Jacob C. Stitely, whose wife's name is Frances Stitely
4. A Son George W. Stitely, whose wife's name is Hester Stitely
5. A daughter, Catharine Zimmerman, whose husband's name is David Zimmerman
6. A Son, Samuel A. Stitely, whose wife's name is Mariana Stitely,
7. The following Grand Children, being the Children and Heirs at law of David R. Stitely, a son of the said Samuel Stitely deceased, who died previous to his father, to wit. Laura V. Palmer, whose husband's name is James W. Palmer, Isaac Stitely whose wife's name is Harriet Stitely and Nettie Saylor whose husband's name is Oliver Saylor.
8. The following Grand Children and Great Grand Children, to wit. Elizabeth H. Watts, whose wife's name is Sarah E. Watts. Mark E. Watts, whose wife's name is Laura Watts. John D. Watts whose wife's name is Mary J. Watts. Samuel R. Watts, whose wife's name is Arabella Watts; who are the sons and heirs at law of Cornelius Watts, a daughter of the said Samuel Stitely and who died before her father: also John Carnot, Edward Carnot and Charles Carnot, sons and heirs at law of Elizabeth Carnot who was a daughter of the said Caroline Watts, deceased and who died before her Grand father Samuel Stitely Also Elmer Hahn, a son of Emily Hahn, who was a daughter of the said Caroline Watts, deceased, and who died before her Grand father Samuel Stitely. also Elmer Hahn, a son of Emily Hahn, who who was a daughter of the said Caroline Watts deceased, and who died before her Grand father Samuel Stitely, all of which heirs at law are now seized and possessed of said real Estate as tenants in common.

Exhibits No 1 &

3rd That all of said parties and heirs at law are adult over twenty one years of age, Excepting Charles Carnot, Edward Carnot, and Elmer Hahn, who are infants under twenty one years of age, and all reside in Frederick County Maryland Except John D. Watts and wife and Samuel A. Watts & wife, who reside in Carroll County, Maryland.

4th That in the year Eighteen hundred and Eighty Eight the said Samuel Stitely entered into a written Contract with the plaintiff by which it was agreed that in consideration that the plaintiff would improve the lands described in Exhibits 1 & 2 and do certain other services set forth in said agreement, that on the sale of said lands