

No. 7952 Equity

O Noel and Mary E Noel I give and devise the said farm to the children of the said Mary E Noel to be equally divided among them. Show and show also as well appear by a Certified Copy of the said portion of said Will heretofore filed and prayed to be taken and considered as part heretofore marked Exhibit no. 1

2. That the said Minnie O Noel and the said Mary E Noel, her wife are both deceased, and the children of the said Mary E Noel all of whom are now living, were as follows: - Charles W Noel, a son who is married and whose wife's name is Mattie Noel Lelia O'Brien a daughter who is married to George W O'Brien; Rosa A Noel a daughter, and James B Noel a son, all of the said persons herein named are adults except the said James B Noel who is an infant under the age of twenty-one year

3. That since the death of the said John Michael Noel certain parcels of said land have been disposed of as follows - Three smaller lots aggregating 13.9 acres, thereof to the Real Estate and Improvement Company of Baltimore City by deed of J Roger McSherry, Trustee dated January 15th 1901 and recorded in Liber A. L. R. No 7 folio 618, one of the Land Records of said County, under and by virtue of the proceedings in No 7954 Equity in your Honorable Court and a lot of 2.66 acres thereof to the Baltimore & Ohio Railroad Company under the Ordinance proceedings recorded in Record of Judicial Proceedings No 8 folio 168 v. c., in the office of the Clerk of your Honorable Court.

4. That your orator, George W O'Brien has agreed with all the other parties in interest herein named, to purchase the said real estate herein mentioned at and for the sum of Eight hundred Dollars to be paid upon the execution and delivery of a good and sufficient deed conveying to said purchaser the interest of all of said parties in and to said real estate.

5. That the said price so offered and agreed upon is fair and adequate and is satisfactory to all of your orators including the said James B Noel who, while an infant in contemplation of law, is nineteen years of age, by reason of the said infancy of the said James B. Noel it is necessary to invoke the aid of your Honorable Court in the premises

6. That it is for the benefit and advantage of the said James B. Noel infant that the said real estate be sold as hereinafter mentioned and proposed, under the direction of your Honorable Court

7. That the said real estate is not susceptible of division or partition among the said parties herein entitled without loss and expense

8. That the said James B Noel is a resident of Frederick County, therefore your orator and orators pray for the following relief: - (1) that a decree may be passed by your Honorable Court for the sale of the aforesaid real estate in accordance with the said agreement hereinafter mentioned and that a trustee may be appointed to carry said property to the said purchaser and to collect the said purchase money and make distribution thereof after the payment of the cost and expenses of this proceeding, to and among the parties herein entitled.

(2) that your orator and orators may have all and such other and further relief as the case may require and your orator and orators pray for the following process: - That the writ of subpoena may be issued in the usual form against the said James B Noel, infant defendant, commanding him to be and appear in this Court on some certain day to be named in said writ, to answer the premises and abide by and perform such decree as may be hereinafter passed.

And as in duty ye,
Wm. R. Brown
Solicitor for Noel