authority of the same and at the instance or by consent of these complainants shall or may be appointed for the purpose may be authorised empowered and decreed ordered and compelled to sell and dispose of all the said land, with the appurtenances or such parts and parcels of the same as shall or may be deemed fit and expedient to to be sold and disposed of and to pay over and divide to and among these complainants in proportion to their just and respective shares all the proceeds from such sale or sales or to grant convey and give over to these complainants or to take and hold in trust for them and for their exclusive use and benefit all or such parts and parcels of the said land with the appurtenances as it shall and may be deemed fit and expedient to reserve in specie for these complainants or any of them and that these complainants may have such further or other relief in the premises as to this Court shall seem agreeable to equity and good conscience and as the circumstances of the case shall require any thing in the said Statute contained to the contrary notwithstanding: May it please this Court to grant to these Complainants the State of Maryland's writ and writs of subpoena directed to the said defendants Elizabeth Lawrence widow and relict of the said Upton Lawrence decd. Jonathan Hager Lawrence Upton Hager Lawrence Patty West Lawrence Matilda Lawrence Elizabeth Ann Lawrence Barbara Orendorf Lawrence children and heirs of law and Henry Lewis administrator &c of the said Upton Lawrence deceased Daniel Heister Samuel Heister David Beaver and Catharine his wife Ellen Davis daughter and heir of Elizabeth Davis formerly Heister Rachel Sanders and her husband Abraham Sanders Rebecca Vanderslice and her husband Joseph Vanderslice Mary Seale John and Henry Heister children of John Heister deceased son of said John children and grand children and heirs at law or supposed devisees and executors as aforesaid of the last will &c of the said John Heister deceased Gabriel Heister Jonathan D. Heister Elizabeth Heister Frederick Shultze William Heister and Charles Heister son of Jacob Heister deceased John Mary and William Shultze children and heirs of Mary Shultze formerly Mary Heister children grand children and heirs at law or supposed devisees and Executors as aforesaid of the last will &c of the said Gabriel Heister deceased Isaac Heister Catharine Ive Heister William Heister Edward Climer and Maria his wife Rebecca Eckert Daniel I. Heister, John Heister Julianna Miller daughter and heir at law of Elizabeth Miller deceased who was daughter and co heir of the said William Heister deceased: Jonathan Miller surviving husband of the said Elizabeth and children and grand chld and heirs at law and administrators &c as aforesaid of the said William Heister deceased John Heister Thomas McKean Heister children of the said Daniel son of the said John Heister deceased and supposed devisees of the said John Heister deceased William Mercer Jacob Stahl Hugh Kennedy John Kennedy Adam Seppard James R. Reily John A Donaldson David Starkman John Morter Matthew Murrey and James Davis John Wise, senr. John Horn Henry Keifer John Briley John Love William Bender, Joshua Murray, John Figely Daniel Bovey Christian Fechtig Samuel Newman William Moffit



John Ringer Abedom Kelly David Dasher Dennis McFeeney Francis McMullen William McGinigal John Golard Job Ringer Thomas Ringer Henry Cole Benjamin Reigal Jacob Ringer William Ringer John Kennedy and Jonathan A. Lawrence, John Reynolds Perry John and Benjamin Fitzhugh children and heirs of William Fitzhugh, Christian Hager the Elder and Philip Wingart Executors of the last will &c of the said Rosannah Heister deceased Roger B. Taney and Elie Beatty and them and every of them commanding to be and appear &c &c and to answer &c &c And for as much as such of the said defendants as are above named described and enumerated as the widows children grand children being at law supposed devisees and personal representatives of the said John Heister deceased and of the said Gabriel Heister deceased and of the said William Heister deceased severally and respectively and the said James R. Reily are not nor are any of them (except the said Daniel son of the said John Heister deceased and the said John and Thomas McKean children of the said Daniel Heister citizens or inhabitants of the State; but all excepting as before excepted are foreigners and dwell in foreign parts &c or are citizens and inhabitants of Pennsylvania or other State or States out of the limits and Jurisdiction of the State of Maryland: May it further please the Court to order publication &c &c according to the State in such case made and provided; and these complainants as in duty bound will &c &c

W. Jones.

Nichs. Brewer, Jr. for complts.

Maryland Sct.

## Exhibit No. 1.

At a Session of the General Assembly of Maryland begun and held at the city of Annapolis on Monday the fifth of November in the year of our Lord one thousand seven hundred and eighty one and ended the twenty second day of January one thousand seven hundred and eighty two His Excellency Thomas Sim Lee Esquire Governor.

Amongst others the following law was enacted to wit.

No. 3 An Act for vesting an estate for life in Daniel Heister the younger and an estate in fee simple in Rosannah his wife in fourteen hundred acres of land lying in Washington County and in five lots of land lying in Elizabeth Town in the said County.

Whereas the said Daniel Heister by his petition has represented to this General Assembly that Jonathan Hager late of Frederick County was brought to a sudden death by an accident and died intestate leaving one son and one daughter, the wife of the petitioner whereby his real Estate descended to his son Jonathan Hager then an infant that the said Jonathan Hager in the month of November one thousand seven hundred and seventy five being then above nineteen years of age by writing agreed to convey to his sister and the said Daniel Heister and their heirs the quantity of fourteen hundred acres of land and five lots of land lying in Elizabeth Town in Washington County being part of his late fathers Estate that the said Jonathan Hager afterwards in the month of July in the year one thousand seven hundred and seventy six being then above twenty years of age again agreed in writing to convey the same