and also part of the other half of the said last mentioned tract of land called "Deed Park" containing 20 acres; also one other tract of land called "High Lookout" containing 20 acres

Your Petitioner further charged that the said Samuel Stallings by deed bearing date on the said first day of April 1844, conveyed part of the said real estate unto a certain Charles Stallings, Maza Stallings and Silinda Stallings by way of an advancement upon their proportions of the real estate of which the said Samuel Stallings was then seized and possessed, all his the said Samuel Stallings interest in and to the one half of a tract of land called "Deer Park" containing 95 1/2 acres 37 perches, and also 20 acres of the other half of the said tract called "Deer Park", and also one other tract of land called "High Look out" as by reference to said deed would appear. That the lands so conveyed to the said Charles Stallings, Maza Stallings and Silinda Stallings were worth at least two thousand dollars.

Your petitioner further charged that on or about the month of May 1847 the said Samuel Stallings departed this life intestate, leaving your petitioner, John T. Stallings, Maza Stallings, David House and Polly his wife, Silinda Stallings and Charles Stallings all of adult age, his children and heirs at law. That the said Samuel Stallings left no debts whatever. That the said Charles, Maza and Silinda having received the said lands by the way of advancement thought in justice and equity to be compelled to bring the same into hotch pot. That the lands which the said Samuel died seized of are not susceptible of partition amongst the parties entitled thereto.

That it would be for the interest of all the parties interested to have the lands sold and the proceeds distributed amongst those entitled to the same. Your petitioner prayed that a decree might be passed for the sale of the said lands and for subpoena against the said John T. Stallings, Maza Stallings, David House and Polly House, his wife, Silinda Stallings and Charles Stallings. Your petitioner in this supplemental bill now states to your Honor that since the filing of the said bill as aforesaid reference to which is hereby made and all the averments and prayers of said bill are hereby made part of this; the said Polly House, wife of the said David House has departed this life intestate, leaving the following children her heirs at law and legal representatives, viz: John William House aged about 23 Maza House David House Jr. Eveline House and Charles House, the four last named being infants under the age of twenty one years and all residing in Allegany County

Your petitioner prays that they may be made party defendants to this bill and that they may be compelled to answer the charges contained in the original and this supplemental bill and that a decree may be passed as prayed for in the original bill. May it please your Honor to grant unto your Petitioner the writ of subpoena against the

said John Wm House, Maza House, David House, Evaline House and Charles House, commanding them to appear in this Court upon some certain day to be therein named, to answer the premises and to show cause if any they have why a decree ought not to pass as prayed &c.

Thomas J. McKaig, Sol. for Petitioner

Which said bill is thus endorsed

It is agreed that the original bill may be amended according to the prayer of this petition and that the said petition be deemed and taken as the said amendment

Oct 12th 1852 Wm Price, for the Defendants

And thereupon issued the writ of summons in form following to wit:

Maryland Set:

The State of Maryland to John William House, Maza House, David House, Evaline House and Charles House, of Allegany County, Greeting. You are hereby commanded that all excuses set apart you personally appear before the Judge of the Circuit Court for Allegany County, sitting as a Court of Chancery, to be held at the Court House in the town of Cumberland, in and for said County on the second Monday of October next, to answer the Bill of Complaint of Ezekiel Stallings against you and others in said Court exhibited, Hereof fail not, as you will answer the contrary at your peril, witness the Honorable Thomas Perry, Judge of said Court the 19th day of April 1852. Issued the 16th day of September 1852.

H. Hesley Clerk.

At which said second Monday of October, in the year last aforesaid, being the return day of said writ of summons, the Sheriff of Allegany County, to wit, George M. Blocher, Esquire, to whom the writ aforesaid, was in form aforesaid, delivered to be served, made return thereof to the Court, thus endorsed to wit: "Summoned, Geo M. Blocher Shff"

And afterwards to wit: on the thirty first day of March in the year eighteen hundred and fifty three, Charles Stallings and others by their Solicitor William Price, filed in the cause, here an answer in the words following, to wit:

The answers of Charles Stallings, Maza Stallings, Silinda Stallings, John T. Stallings and John W. House, to the bill of complaint and amended bill of Ezekiel Stallings, in the Circuit Court of Allegany County, sitting in Equity.

These defendants in answer to the said bill of Complaint answer and aver that the real estate of the said Samuel Stallings, deceased, is susceptible of a fair and equal partition