No. 4287 Equity

To the Honorable the Judges of the Circuit Court for Frederick County Sitting as a Court of Equity

The Petition of David S K Miller and Jacob McMiller in No 4287 Equity on the Equity docket of your Honorable Court respectfully Shows to your Honors that they have made Sale & reported the same to your Honorable Court of the remaining peices and parcels of land decreed to be sold by the decree heretofore passed in said Cause and have brought the purchase money received therefor into your Honorable Court for distribution Your Petitioners further report & State that Since the last audit made in Said Cause, Ann M E. Miller one of the heirs at law and distributees of said Ann Catharine Miller the intestate has departed this life and by her last will and testament which has been duly probated in the Orphans Court of Frederick County, She has devised and bequeathed all of her estate to her Sister Mrs Ann R Zacharias as appears by a certified Copy of said will herewith exhibited, and your Petitioners State that by virtue of the provisions of said will the said Ann R Zacharias is entitled to the distributive share of the said Mary A Elizabeth Miller in the distribution of the proceeds of the Sale of the real estate reported to your Honorable Court on the twenty first day of March 1885. That Mary A Haller of the said heirs at law of said Ann Catharine Miller died intestate in August 1880 leaving a husband William H Haller and the following named Children, John Haller, Francis Haller Martha now the wife of — Elizabeth now the wife of — Nettie Haller and Melia Haller all of whom are adults and reside Alleganey County Maryland who are entitled to the Share or portion of the said Mary A. M. Haller.

Petition of Trustee

Your Petitioner further States that Jacob M Miller one of your Petitioners and also one of the distributees of the said Ann Catharine Miller the intestate on the 27th day of February 1872 assigned in writing to the said Ann M Elizabeth Miller his interest in the estate of his said mother to the extent of Six hundred dollars which said Sum of Six hundred dollars has been fully paid that on the 28th day of May 1884 the said Jacob M Miller by deed Conveyed all of his interest in the said real estate report as Sold and assigned all of his interest in the estate of his said mother to your Petitioner David S K Miller as appears by said deed herewith Exhibited Marked D.S.K And your Petitioners State that by virtue of said deed and assignment the Share of the said Jacob M Miller as one of the heirs at law and distributees of said A. M Catharine Miller the intestate in and to the proceeds of the Sale of the real estate report Sold belongs to and ought to be distributed to your Petitioner David S K Miller. Your Petitioner further further State that the Share of Lewis H Miller one of the heirs at law of the said Ann Catharine Miller dec^d will be absorbed in the payment of Judgment debts due by the said Lewis H Miller to David C Winebrenner admr of George Winebrenner dec^d, that by an order of your Honorable Court passed upon the Petition of the said Lewis H Miller and Lydia K Miller his wife on the 3rd day of April 1880. Your Honorable Court allowed to the said Lewis H Miller the Sum of One hundred dollars the amount by law exempt from execution and to the said Lydia K Miller the wife of the said Lewis H Miller 1/14 part interest in lieu of her potential right of dower. that the said amount has been paid them respectively by said trustees. Except that in the 3 audit made in said Cause, the entire Share of the said Lewis H Miller amounts to $113.61 was audited to and paid to the said Winebrenner administrator as aforesaid. And your Petitioners State that the said Lydia K Miller is entitled out of the Share of her said husband the 1/14 part thereof and also 1/14 part of the Sum of $113.61. heretofore audited to the said Winebrenner Wherefore your Petitioners pray your Honors to pass an order directing the auditor of your Honorable Court to audit the Share of the said M A Elizabeth Miller to Ann R Zacharias her devisee and legatee and the Share or portion of the said