

Sixty acres of Land, more or less all which matters will more fully appear referred being made to certified Copies of said deeds and will herewith exhibited, Exhibits No 1, No 2 and No 3 which your Complamants pray - Together with all other exhibits herein after exhibited. may be taken as a part of this bill of complaint Your Complamants, further state, that the said William Miller at the time of his death, left a widow named Mary Ann Miller and the following children, and grand children him surviving to whom the above mentioned Real Estate has descended as Tenants in Common Viz John W Miller - Intermarried with Joann Eichelberger William Miller intermarried with Ann Eliza Gilbert Thomas A Miller intermarried with Sarah Eyer Mary Ann Miller intermarried with Hezekiah Dutton and Zachariah Miller a Lunatic all of whom and of the full age of Twenty one years and residents of Frederick County, in the State of Maryland - The grand children whose names are as follows. and the children of a deceased daughter Catharine Miller, who intermarried with Isaac Koontz & died in the year Eighteen hundred and Thirty four Viz Thomas F Koontz & Catharine Matilda Koontz, intermarried with John Langtestank, all of whom and of full age and residents of Ohio William Wallace Koontz of full age, a resident of Maryland & Frederick Francis Koontz an Infant, under Twenty one years of age, and resident of Ashland County in the State of Ohio. Your complamants further state that on the first day of September eighteen hundred and Fifty one Zachariah Miller executed his certain deed to Thomas A. Miller conveying in Trust his interest in the said William Miller's Estate, all of which will appear upon referring to said Deed of Trust, herewith exhibited & filed as Exhibit No. 4 Your Complamants further state - That a Petition was filed in Frederick County Court as a Court of Equity on the seventh day of October eighteen hundred and Fifty one praying for a writ in the name of a writ De Lunatico Enquirendo to enquire into the Lunacy of the said Zachariah Miller and your Complamants further state - That this writ was duly executed, and an inquisition was taken finding among other things that said Zachariah Miller was of unsound mind & incapable of the management of himself his lands &c Your Complamants further state - That this inquisition has been ratified by this Honorable Court, and Thomas A Miller has been appointed Trustee of the person and Estate of the said Zachariah Miller, all of which will appear upon referring to the Case No 2384 upon the Equity Docket of Frederick County Court - Your Complamants further state That it will be for the Interest & advantage of all parties, Concerned in these proceedings Adults as well as an Infant, and Lunatic to sell the aforesaid Real Estate, & distribute the proceeds of sale, among the parties respectively entitled to the same Intenor Collaboration whosoever, and for as much as your Complamants are remediless in the premises, by the strict rules of Common Law and only releasable in a Court