

That he left a widow Almida Miles, who is still living at said County, and is now about fifty eight years of age, and they state that they are advised that she is willing that the said land shall be sold, and that she will receive in lieu of her dower Interest therein, such proportion of the proceeds of sale, as may be allowed by your Honor. And your orators, and oratrix further shew to your Honor, that your orator James W. Miles had sold to your orator Isaac Davis, all his right, title, estate & Interest, in and to said land, and Real Estate of which the said Charles Miles died seized, & thus conveyed the same to him by a deed of conveyance, a Copy of which is herewith filed Marked Exhibit N^o. 1. and which your orators and oratrix pray may be taken, and considered as part of this Bill of Complaint, and your orators, and oratrix further shew to your Honor that it will be for the Interest, and advantage, as well of the said Alfred F. Miles, and Francis Miles, and the said Henry Dudderar, Francis Dudderar, George Dudderar, Emily Dudderar, and Charles W. Dudderar, as also of your orators, and oratrix that the said lands, and premises should be sold, and the proceeds thereof divided amongst all the parties, in the proportions in which they are respectively entitled, but for as much as the said Alfred F. and Francis Miles, and the said Henry, Francis, George, Emily, and Charles W. Dudderar, are Infants, a sale thereof cannot be had, without the aid and interposition of your Honor. To the end therefore, that the said Alfred F. Miles, and Francis Miles, and the said Henry Dudderar, Francis Dudderar, George Dudderar, Emily Dudderar, & Charles W. Dudderar, and the said Almida Miles may answer the premises, and that a Decree may pass for a sale of the aforesaid lands, and premises, and that the proceeds of such sale may be divided amongst the aforesaid parties entitled thereto, in such proportions as they may be entitled, and that your orators, and oratrix may have such other and further relief, in the premises, as in Equity they may be entitled thereto, may it please your Honor to grant to your orators, and oratrix a writ of subpoena, directed to the said Alfred F. Miles, Francis Miles, Henry Dudderar, Francis Dudderar, George Dudderar, Emily Dudderar, Charles W. Dudderar, and the said Almida Miles, all of Frederick County - Commanding them, and each of them, on a certain day therein to be named, to be, and appear in your Honorable Court, then, and there to answer the premises, and to stand to, abide by, and perform or fulfil such order, or Decree as your Honor may pass, in the premises, and they will ever pray &c.

(Wm. F. Maulsby, Sol. for Com.)

Exhibit N^o. 1. is in the words & figures, to wit:

At the request of Isaac Davis, the following deed was recorded 28th August 1846. This Indenture, made this 27th day of January 1845, between James W. Miles of Frederick County, in the State of Maryland of the one part, and Isaac Davis of the County, and State aforesaid of the other part: Witnesseth - That the said James W. Miles, for and in consideration of the sum of one hundred & fifty nine Dollars, current money of the United States, to him in hand paid by the said Isaac Davis, before the sealing, and delivery of these presents, the receipt whereof he the said James W. Miles doth hereby acknowledge, hath granted, bargained, and sold, aliened, enfeoffed, and confirmed, and by these presents doth grant, bargain, sell, alien, enfeoff, and confirm, unto the said Isaac Davis his heirs, and assigns, all his the said James W. Miles, right, title, claim, Interest, and Estate of in, and to part of a Tract of land "called" The principal Situate in Frederick County - aforesaid, it being the eighth part of the Real Estate of his father Charles Miles J. late of Frederick County dec^d. Together with all and singular the buildings, Improvements, hereditaments, and appurtenances whatsoever therunto belonging, or in any wise appertaining.