Executed his last will and testament in due form of law to pass real Estate and soon after, early in the year Eighteen hundred and fifty nine departed this life without having in any manner revoked the same, that the said testator in and by his said last Will and Testament, amongst other things devised and bequeathed as follows; "I give and bequeath "to my dearly beloved wife Margaret Dunderar all the privileges she may want about " the Mansion House, Barn or other outhouses upon the farm upon which the Mansion " House is situated, and to be furnished by my son David W. Dunderar with all the articles " of subsistence and fuel she may want or require during her natural life. I give & bequeath " unto my said wife all the rest and residue of my Estate not herein otherwise disposed of, " to be disposed of as she may think proper;" that among the land so devised by the said Margaret Dunderar was one tract containing twenty five and three fourths acres and eight square perches a full and complete description whereof will be seen by the Surveyors Plat filed herewith as Exhibit No 1. which with all other Exhibits your Orators pray may be taken as a part of this his bill Complaint as if here inserted in words and figures. Exhibit No 1.

Your Orator further shows unto your Honor that the said Margaret Dunderar departed this life intestate in the month of February in the year Eighteen hundred and sixty three, seized and possessed of said tract of land described in said Exhibit No 1. that she left the following named persons as her only heirs at law; John F. Dunderar, Dennis W. Dunderar, your Orator David W. Dunderar, Sarah Slacey wife of Jeremiah Slacey, Susanna Clary wife of Jesse F. Clary, Ellen R Runkles wife of Upton Runkles, Hannah M. Buckingham wife of Benjamin W. Buckingham, Margaret M Barnes, daughter of Elizabeth Barnes dec'd who was a daughter of said intestate, and Sarah E. Barnes daughter of Margaret Barnes dec'd who was also a daughter of said intestate; & that the said tract of land at the death of said intestate descended to all of said heirs at law as tenants in Common and by them is now held and owned.

Your Orator further states that said Margaret M. Barnes and Sarah E. Barnes are infants and all the rest of said heirs are adults, and that Dennis W. Dunderar, Sarah and Jeremiah Slacey, Ellen R. and Upton Runkles and Sarah E. Barnes live in Carroll County, while the balance of said heirs live in Frederick County. And your Orator still further shows unto your Honor that the said land cannot be divided without injury and loss to the parties concerned, infants as well as adult, and that it would be to the interest and advantage of all the tenants in Common to have said real Estate sold by a Trustee to be appointed by your Honorable Court. Subpoena

In tender consideration whereof, and for that your Orator is remediless in the premises by the strict rules of the Common law and relievable only in a Court of Equity, where matters of this nature properly cognizable,

To the end therefore that the said John F Dunderar and Caroline his wife, Dennis W. Dunderar and Ann Rebecca his wife, Jeremiah Slacey and Sarah his wife, Jesse F. Clary and Susanna his wife, Upton Runkles and Ellen R. his wife, Benj^a W. Buckingham and Hannah M. his wife, Margaret M. Barnes and Sarah E. Barnes, may answer fully and particularly all and singular the matters and charges aforesaid; May it please your Honor to order and decree that said real Estate may be sold by a trustee to be appointed for that purpose, and that your Orator may have all such other and further relief in the premises as the nature of the case may require and to your Honor shall seem meet. Subpoena

And may it further please your Honor to grant unto your Honor the State of Maryland's writ of Subpoena to be directed to the said John F. Dunderar and Caroline his wife, Jesse F. Clary and Susanna his wife, Benj^a W. Buckingham and Hannah M his wife,