

The bill and the supplement thereto state that Margaret Dudderer died intestate about the  
 in the month of February in the year Eighteen hundred and sixty three, seized and possessed  
 of a tract of land containing about twenty five and three fourths acres that said Margaret Dudderer  
 died leaving as her only heirs of law, Jos. D. Dudderer, Dennis W. Dudderer, David W.  
 Dudderer, Sarah Shroy wife of Jeremiah Shroy, Susanna Clary wife of Jesse J. Clary,  
 Ellen R. Runkles wife of Upton Runkles, Hannah M. wife of Benjamin W. Buckingham  
 Margaret M. James and Sarah C. James - that said Upton Runkles is a non-resident & beyond  
 the limits of the State of Maryland that the said land cannot be divided among said  
 heirs at law without injury and loss to all concerned and that the interest of all parties require  
 that the same shall be sold -

It is therefore this 6th day of May 1864. ordered that the Complainant  
 out by causing a copy of this order to be inserted in some newspaper printed in Frederick  
 County once in each of four successive weeks prior to the 10th day of June next, give notice  
 to said Upton Runkles of the object and substance of this bill, and cause him to appear in  
 this Court in person or by a solicitor on or before the 15th day of September 1864. to answer  
 the premises and show cause if any he have why a decree should not pass as prayed,  
 W. Nelson

Petition of

To the Honorable Madison Nelson Judge of the Circuit Court for Frederick  
 County sitting as a Court of Equity -

The petition of Ellen S. Runkles, who files this petition by  
 John F. Dudderer her brother and next friend, respectfully shew that the said Ellen S.  
 Runkles and her husband Upton Runkles have been made and summoned as defendants,  
 to answer the bill of Complaint filed in your Honorable Court by David W. Dudderer,  
 that Upton Runkles, the husband of your petitioner, is in the Army of the United States,  
 beyond the limits of the State of Maryland and your petitioner is unable to answer with  
 her said husband and she therefore pray your Honor to pass an order authorizing your  
 petitioner to answer separate and apart from her said husband and your petitioner will  
 ever pray &c. -

G. Eichelberger  
 Solr for petitioner

No 3161 Equity - In the Circuit Court for Frederick County, July Term 1864.

Ordered by the Court this 25th day of May 1864 that Ellen S. Runkles leave  
 leave and she is hereby permitted to answer the bill of Complaint in this case, separate  
 and apart from Upton Runkles her husband. -

W. Nelson

Answer  
 of  
 Jos. D. Dudderer  
 and others

The joint and several answer of Jos. D. Dudderer and Eveline Dudderer his wife,  
 Dennis W. Dudderer and then Rebecca Dudderer his wife, Jesse J. Clary and Susanna  
 Clary his wife, Ellen R. Runkles his wife, Benjamin W. Buckingham and Hannah M.  
 Buckingham his wife, to the bill of Complaint of David W. Dudderer filed against the  
 defendants and others in the Circuit Court for Frederick County sitting as a Court of Equity. -

These defendants say for answer to said bill of Complaint that they admit all the  
 allegations contained in said bill and are willing a decree shall pass for the sale of said  
 real estate as therein prayed. -

B. W. Buckingham - Hannah M. Buckingham  
 Dennis W. Dudderer, Anna Rebecca Dudderer  
 Jesse J. Clary - Susanna Clary  
 John F. Dudderer Eveline Dudderer  
 Ellen R. Runkles