

Phoebe Andrus and John A. Andrus the absent and now resident defendants of the object and substance of this Bill of Complaint and naming them to be and appear in this Court by a certain day in person or by solicitor or solicitors for answer said Bill and their cause if any they have or may have right not to be passed as prayed otherwise the Bill be taken pro-confesso against them.

Spencer C. Jones
Solicitor for Complainants

Lucinda Otto + others } No 2948 Equity Circuit Court for Frederick
Phoebe Andrus + others } County in Equity January Term 1861

The object of this suit is to obtain a decree for the sale of the Real Estate in Frederick County State of Maryland which John Otto late of said County and State did seize and possess.

The Bill states that John Otto late of said County State of Maryland did intestate in February 1860 seize and possess of pieces or parts of tracts of land situate in said County and State containing fifty three acres one Rod and 16 ps of land more or less described in exhibit No 1 in said Cause.

That said John Otto left the following children and grand children by him at law to whom said lands descended to wit: Lucinda A. Otto Lucinda Otto who married Henry Working Charlton O. Otto all of whom reside in Frederick County, Peter Otto who resides in Carroll County Maryland; Otto who married Eliza Andrus and died before said intestate leaving the following children Margaret Andrus who married John M. Andrus Sarah A. Andrus who married John George Lucinda J. Andrus who married George L. Miller Florentine B. Andrus Sophia J. Andrus all of whom are residents of Frederick County Phoebe Andrus and John A. Andrus who are now residents of the State of Virginia Annice O. Otto who died before said intestate leaving the following children Alice Otto Thomas Otto and Ellen Otto, all residents of Frederick County.

The Bill further states that the said lands were not susceptible of partition and that the interest & advantage of all parties interested therein infants as well as adults require that the said lands should be sold and the proceeds of sale should be divided among the parties entitled thereto and it further appearing from a petition filed by the Complainants in this Cause that Phoebe Andrus and John A. Andrus infant defendants since the filing of said Bill and prior to the return of the subpoena and without the subpoena being served on them have removed from the State of Maryland and now reside in the State of Virginia.

It is therefore upon this 17th day of January 1861 ordered that the Complainants by Counsel, a Copy of this