of said County departed this life, leaving a widow Joanna Howard and leaving the said Annie E Howard, Charles L Howard, Clara Howard, and Edward B Howard his only heirs at law.

And your Orator further shows that the said Charles E Howard at the time of his death was seized and possessed of a certain piece, parcel, or tract of land containing thirty Eight acres more or less, lying in said County, and fully and particularly described in a certain deed of Conveyance from Meahlen Rhoderick, to the said Charles E Howard a Copy of which said deed of Conveyance as hereunto filed Marked Exhibit "A", and which together with all other Exhibits herewith filed your Orator prays may be taken and Considered as a part of this bill.

And your Orator further shows that the said Charles E Howard died seized and possessed of a certain other piece, parcel, or tract of land lying in said County, and known as a mountain lot, and containing ten acres more or less, and which is particularly described in a deed from Henry M Nixdorf, to the said Charles E Howard, a Copy of which said deed of Conveyance is herewith filed marked Exhibit "B."

And your Orator further shows that a part of the purchase money for the said Mountain lot viz. the sum of two hundred and one dollars and Eighty seven and a Half cents, with the interest thereon from the Eighth day of September in the year Eighteen hundred and sixty Eight, is still due and owing to the said Henry M Nixdorf as appears by a certain promissory note drawn in favour of the said Henry M Nixdorf, by the said Charles E Howard, and a certain George W Smith, a Copy of which said promissory note is herewith filed Marked Exhibit "C"

And your Orator prays that the said pieces, parcels or tracts of land may be decreed to be sold by your Honorable Court, and that the said two hundred and one dollars and Eighty seven and a half cents, with the interest still due as aforesaid, be paid to the said Henry M Nixdorf, And that a suitable and proper allowance be made to the said widow out of the proceeds of the sale of said lands in lieu of her dower, and that the residue of the proceeds of said sale be invested under the direction of this Court for the benefit of said infants, And your Orator further shows that it will be for the benefit and advantage of all parties Concerned, that the said pieces, parcels, or tracts of land be sold, and the proceeds disposed of under the direction of your Honorable Court as above prayed.

To the end therefore that the said Annie E Howard, Charles L Howard, Clara Howard, and Edward B Howard, and the said Joanna Howard and the said Henry M Nixdorf, may answer the premises, and that the aforesaid real estate may be sold under the Authority of this Court, and that Your Orator may have such other and further relief as his Case may require.

May it please your Honorable Court to grant to your Orator the writ of subpoena against the said Annie E Howard, Charles L. Howard, Clara Howard, Edward B Howard, Joanna Howard, and Henry M. Nixdorf, to be and appear in this Court at some certain day to be therein named, to answer the several matters and things herein charged, and to abide by and perform such decrees as may be passed therein — And for as much as the said Annie E Howard Charles L Howard, Clara Howard, and Edward B Howard, are infants under the age of twenty one years, and cannot come into this Court to protect their own interests, May it please your Honor to order that a Commission issue to some proper and suitable person to designate and appoint a suitable guardian