

## No. 4000 Equity

To the Honorable the Judges of the Circuit Court for Frederick County sitting in Equity

Humly complaining sheweth unto your Honors your orator John H Miller and your oratrix Julia Ann Miller his wife of Frederick County in the State of Maryland, that on the 30th day of August 1857 a certain John Miller late of Frederick County departed this life intestate leaving a large tract of real estate which is fully described in the recit of a survey herewith filed, marked Exhibit A which together with all other exhibits your orator and oratrix pray may be taken as part of this bill of Complaint as fully as if taken at large in words and figures set forth That prior to the death of said John Miller he sold and conveyed to a certain Simon Snook Eighty Eight Acres of said Land described in said survey which said Eighty Eight Acres are described in Exhibit B herewith filed. That after the death of said John Miller a portion of said Real Estate of which he died seized and possessed was sold by Wm J Rose Trustee in No 3410 Equity on the Equity Docket of this Court to pay a Mortgage debt due thereon by said John Miller in his lifetime and the part so sold was duly conveyed to a certain Daniel Sunday the purchaser thereof by said Trustee as well appear by a certified copy of said deed herewith filed marked Exhibit C That the said John Miller in his lifetime sold a part of said "John Miller's Survey" to your orator John H Miller which was conveyed to your orator by the heirs of said decedent by deed a certified copy whereof is herewith filed marked Exhibit D That the rest and residue of said "John Miller's Survey" vested in and descended to the heirs at Law of said John Miller and that said John Miller when he died left as his heirs a Widow Sarah Miller, Daniel B Miller a son now married and whose wife is Mary A Miller Josiah A Miller a son, Sarah A E Powers a daughter married to John Powers John H Miller your orator and Julia Ann his wife your oratrix, Matilda C Miller a daughter married to Jacob E Palmer, Julia Ann Bruner married to William L Bruner, Ann Rebecca Bruner married to Edward A Bruner, Thomas L Miller married to Winifred J Miller married to Susan Miller, John Peter Miller the said Julia Ann Bruner, Ann Rebecca Bruner, Thomas L Miller, Winifred J Miller and John Peter Miller being children of George Miller a deceased son of said John Miller who died before the death of said intestate.

That said Sarah Miller widow of said John Miller died on the 5th day of April 1874 Your orator and oratrix charge that said "John Miller's Survey" except that portion sold to said Simon Snook and that portion sold to said Daniel Sunday and that portion sold and conveyed to your orator John H Miller as hereinbefore recited has vested in the above named heirs at Law of said John Miller deceased all of whom with the exception of said John Peter Miller reside within the State of Maryland. Your orator and oratrix charge that said portion of said tract of Land not sold and conveyed as