

aforsaid is incapable of division amongst the parties entitled thereto without great loss and damage to them and that it will be to the interest and advantage of the said parties and each and all of them to have the said portion of said land sold under a decree of this Court and the proceeds thereof divided according to the respective interests of the said heirs of said decedent therein. Your orator and oratrix further charge that all of said parties are of age and that some of them are unwilling to divide said land or have the same sold although a sale thereof will be to the advantage of all of said parties. Your orator and oratrix further charge that said Josiah A Miller John Bowers and Sarah A E Bowers Jacob C Palmer and Matilda C Palmer his wife Julia Ann Bruner and William L Bruner her husband Edward A Bruner and Ann Rebecca Bruner his wife reside in Frederick County Maryland and that Daniel F Miller and Mary A Miller his wife Thomas L Miller and his wife reside in Washington County Maryland and that Winfield J Miller and Susan his wife reside in Allegany County Maryland and that Jesus Peter Miller is not a resident of the State of Maryland and does not reside or live therein.

Your orator and oratrix further charge that the said Winfield J Miller and John O Miller sold and conveyed to Sarah A E Bowers wife of said John Bowers their right title and interest in and to one hundred and two acres of land part of said "John Miller's Resurvey" as well appear by reference to a certified copy of said conveyance herewith filed and marked Exhibit E.

Your orator and oratrix further charge that said William L Bruner and Julia Ann Bruner Edward A Bruner and Ann Rebecca Bruner his wife sold and conveyed to said Sarah A E Bowers wife of said John Bowers their interest and estate in and to one hundred and two acres of said "John Miller's Resurvey" as well appear by reference to a certified copy of said conveyance herewith filed, marked "Exhibit F". Your orator and oratrix further charge that about three quarters of an acre of said "John Miller's Resurvey" was sold and conveyed to the Methodist Church and is not now owned by the said heirs of said John Miller. Your orator and oratrix further charge that said Winfield J Miller and his wife, John O Miller, William L Bruner, and Julia Ann Bruner, Edward A Bruner and Ann Rebecca his wife have as your orator and oratrix are advised some interest in the said unsold portion of said "John Miller's Resurvey". In consideration whereof and inasmuch as your orator and oratrix can only have relief in a Court of Equity where matters of this nature are properly cognizable, and to the end that a decree may be passed for the sale of all that part of "John Miller's Resurvey" not heretofore sold as aforesaid and the proceeds thereof divided amongst the parties entitled as aforesaid thereto, and that your orator and oratrix may have such further and other relief as the nature of their case and Equity may require, May it please your Honor to grant unto your orator and oratrix the sort of subpoena against the said Josiah A Miller John Bowers and Sarah A E Bowers his wife Jacob C Palmer and Matilda C his wife William L Bruner and Julia Ann his wife Edward A Bruner and Ann Rebecca his wife all of Frederick County Maryland Daniel F Miller and Mary A his wife Thomas L Miller and his wife of Washington County Maryland and Winfield J Miller and Sarah his wife of Allegany