and possessed of said Real Estate in the month of February in the year 1869 the said Abraham Derr departed this life intestate leaving a widow Mary A. Derr surviving him and the following named children and heirs at law Martha S Derr who has intermarried with Wilford A Renner, Lucy A Derr who has intermarried with James Grosbon, Margaret E Derr who has intermarried with George J Renner, Mary E Derr who has intermarried with William Fox, George A Derr, Emma J Derr, Isabella C Derr and John Calvin Derr to whom the said Real Estate abovementioned descended as his heirs at law

Your Complainants further represent that in the month of May past the said Widow Mary A Derr departed this life and that at present the abovementioned children and heirs at law of the said Abraham Derr are seized and possessed of said Real Estate as tenants in common and that the said George A Derr Emma J Derr, Isabella C Derr and John Calvin Derr are infants under twenty one years of age residing in Frederick County Maryland

Your Complainants further represent and charge that said Real Estate is not susceptible of division among the said children and heirs at law of Abraham Derr deceased, its present owners and possessors, the parties abovementioned with advantage to them, but to their great and manifest disadvantage and loss, and that your Complainants are entitled to have the same sold, and the proceeds thereof distributed among the said parties according to their respective interests. And your Complainants charge that it will be for the interest and advantage of all the said parties especially the infants aforesaid to sell said Real Estate and to divide the proceeds as aforesaid but your Complainants are advised that a sale thereof cannot be had without the assistance of this Honorable Court, to which the Complainants come humbly praying

To the end therefore that the said Real Estate abovementioned may be sold under the direction of this Honorable Court and that the proceeds thereof may be distributed among the parties aforesaid in proportion to their respective interest, and that your Complainants may have such other and further relief as Equity can afford. May it please your Honors to grant unto your Complainants the writ of subpoena directed to the infants George W Derr Emma J Derr, Isabella C Derr and John Calvin Derr of Frederick County commanding them and each of them to be and appear in this Honorable Court either in person or by Solicitor on a day to be named therein to answer the premises and abide by and perform such decree as may be passed therein

And as in duty bound will ever pray &c

John C Motter
Solicitor for Complainants.

Filed June 7. 1876

"Exhibit 1"

This Deed made this 8th day of September in the year 1866 by us John Henry Saylor and Martha Jane Saylor his wife of Frederick County and State of Maryland, Witnesseth that in consideration of the sum of Twenty dollars we the said John Henry Sale and Martha Jane Saylor his wife do grant unto Abraham Derr all that tract or parcel of land lying being and situate in Frederick County aforesaid it being a part of a tract of land called "The Resurvey on Paw Paw Bottom" and beginning for the said part hereby intended to be conveyed at a stone planted at the end of 113 perches on the 8th line of said resurvey and running thence South 89½° West 17 9/10 ps