

sister Margaret A. Shriver, at the time of the death of the said  
 father John Derr, and are now seized in fee of the said lands as  
 tenants in common, subject to the dower rights of the said Mother  
 Elizabeth Derr and to the Alienations subsequently made  
 And said Complainants further Charge that said lands cannot be  
 divided amongst those entitled thereto without loss and injury to  
 all concerned, and that it will be to the interest and advantage of  
 all that the said lands and tenements be sold under a decree of your  
 Honorable Court, and the proceeds of sale be divided amongst those entitled  
 according to their several and respective interests. To the end therefore that  
 the Defendants hereinafter named, may answer the matters and things here-  
 inbefore stated the same as if they had been here again repeated, and  
 they had been thereto specially interrogated thereto, and that the real  
 Estate in these proceedings mentioned may be sold, and the proceeds of the  
 sale thereof be divided amongst those interested according to their  
 several interests - and that your Complainants May have such other and  
 further relief as the nature and Equity of their case may require.

May it please your Honors to Grant unto your Complainants an order  
 of publication giving notice unto the said Charles H. Derr who is a  
 non resident of the State of Maryland, as before stated of the sub-  
 stance and object of this Bill, and warning him to appear in  
 this Court in person or by solicitors on or before a certain day to  
 answer the premises, and show cause if any he has why a decree  
 ought not to pass as prayed - And also a writ of Subpoena against  
 John H. Fowler, William R. Derr and Frances B. Derr, his wife of  
 the City of Baltimore, Elizabeth Derr, Mary L. Derr, Alice P. Derr,  
 Edward D. Shriver, Mary C. Shriver, Ezra Strick and David C.  
 Haebrunner of Frederick County, State of Maryland, commanding  
 them to appear in this Court at some certain day to be therein named,  
 to answer the premises and abide by and perform such decree  
 as may be passed therein, and as in duty &c.

Filed July 27th, 1877.

J. J. Ross  
 Chas. H. Ross  
 Sol. for Complainants

Exhibit  
 No. 1.

In the name of God Amen' I John Derr of Frederick  
 County, State of Maryland, do make and publish this my last  
 Will & Testament, hereby revoking all other Wills by me heretofore made  
 Inprimis, After payment of funeral expenses & charges, and all my  
 just debts which I request may be speedily done, I dispose of all my  
 real & personal estate in the following manner viz: To my beloved  
 wife Elizabeth, I give devise & bequeath a dower estate during life  
 in my real estate, such as the law allows, and no more, also  
 all the personal property of whatever kind which she brought with  
 her at the time of our marriage & which is now in my mansion house,  
 this property is to be her own absolutely In like manner I give her  
 the gig & horse which we usually drive in it in her own right un-