

among the parties entitled thereto, and that it will be to the interest and advantage of all parties concerned, the infants as well as the adults, to have said real estate sold, and the proceeds distributed among the aforesaid devisees as, and in the proportion they are respectively entitled to have Your Orators and Oratrix further charge that the said James P. Lowell and Kate his wife, are now residents of the State of Maryland, and do not live therein, that the said Ellen Kolb and N. O. Kolb, her husband resides in Frederick County, Maryland, and that the said Rose Cooper and Edward L. Cooper, her husband, Charles B. Lowell, Mary Hogan, resides in Baltimore City. That the said Charles B. Lowell has conveyed and assigned unto the said John M. Lowell all the right, title, interest and estate of the said Charles in and to the said estate and his interest as a legatee and devisee under said will, as appears by reference to a Certified Copy of said assignment herewith filed marked Exhibit C. That all of said devisees are adults except the said Charles Myers and Ellen Myers. To the end that said property may be sold and the proceeds thereof divided amongst the said parties entitled thereto, and that your Orator and Oratrix may have such other and further relief in the premises as the nature of this case and equity may require. May it please your Honor to grant unto your Orators and Oratrix the writ of Subpoena directed to the said Minrod O. Kolb and Ellen Kolb his wife, of Frederick County, Maryland, Edward L. Cooper and Rose Cooper, his wife, Charles B. Lowell, each of 214 Gough Street, Baltimore, Mary Hogan of 76 E. Pratt Street, Baltimore, commanding them and each of them to be and appear in this Court at some certain day to be therein named, to answer the premises and show cause if any they have why the relief prayed should not be granted; and may it also please your Honor to grant unto your Orators and Oratrix an order of publication, warning and commanding the said James P. Lowell, and Kate his wife, and the said infants Charles Myers and Ellen Myers to appear in this Court in person or by Solicitor, as to the said James P., and by guardian as to the said Charles, at some certain day to be therein named to answer the premises, and show cause if any they have, why the relief prayed should not be granted. And as in duty ye.

Jas. M. Sherry
Sol. for Compls.

Filed December 5th, 1876.

Exhibit
A

At the request of William Lowell the following Deed is recorded, the 23rd day of Nov. 1875.
This Indenture, made this 16th day of November, in the year 1835, between James Meghan of the County of Frederick, State of Maryland, of the one part, and William Lowell of the same County and State of the other part, Whereas, by Deed bearing date the 11th day of November, in the year 1835. Horatio M. Pherson and William S. M. Pherson, decd. under and by virtue of a Decree of the Frederick County Court, sitting as a Court of Equity did on the day and year