

No. 5803. Equity.

of Certain Real Estate situated in Frederick County which said Real Estate is a part of that conveyed to the said Daniel Pies in his lifetime by Jacob Pies and others a certified copy of which is filed herewith as part hereof marked Exhibit A, and for a fuller description of which your orator prays leave to file a survey thereof hereafter in the further progress of this cause.

2. That the said Daniel Pies died intestate on or about on or about the twenty eighth day of June, in the year Eighteen hundred and twenty six,

3. That the said Daniel Pies left surviving him a widow, Barbara Pies, who died on or about the twelfth day of March in year Eighteen hundred and Eighty nine and the following children as heirs, at law, (a) Mary Ann Elizabeth Patterer a daughter, who is of full age now a widow and residing in Washington County, (b) The defendant Frederick C. Pies married to the defendant Margaret Pies, both of whom are of full age and reside in Frederick County, (c) The defendant Virginia Keagy intermarried with the defendant William Keagy both of whom are of full age and reside in Adams County in the State of Pennsylvania,

4. That the said Real Estate owned by the said Daniel Pies at the time of his death descended to his said children upon their fathers decease,

5. That the interest of one of said children and heirs - at law the said Mary Ann Elizabeth Patterer is now held and owned by your orator as will appear from a certified copy of the Deed therefore filed herewith as part hereof marked Exhibit B,

6. That the said Real Estate is not susceptible of partition or division among the said parties entitled thereto and cannot be divided without loss and injury to the parties interested therein and that it is necessary and to the interest and advantage of all the parties entitled thereto that the same be sold and the proceeds thereof divided among them according to their respective rights.

To the end therefore

1. That a decree may be passed for the sale of said real Estate,

2. That the proceeds of said sale may be distributed among the parties entitled thereto according to their respective rights,

3. That your orator may have such other and further relief as his case may require,

May it please your Honors to grant unto your orator the writ of subpoena directed to the said Frederick C. Pies and Margaret Pies, his wife, both adults and residing in Frederick County commanding them to be and appear in this Court on some certain day to be named therein and answer the premises and abide by and perform such decree as may be passed therein and also to grant unto your orator the order of publication giving notice

Exhibit A.