

No. 6079 Equity.

of Maryland died on or about the 4th day of February in the year A.D. 1893 intestate leaving the said Margaret Kottgoffle his wife who has a dower interest in the herein after described real Estate and Lucretia Enabbs an adult sister who is married and whose husband's name is John Enabbs an adult brother John D. Kottgoffle, who are the only heirs at law to the herinafter described real Estate.

2^d That said Howard Kottgoffle died as aforesaid seized and possessed of considerable real Estate, the same being fully described in a certain deed from Frederick Kottgoffle and wife to the said Howard Kottgoffle dated April 17th 1889 and recorded in Liber W.D.P. No. 9 folio 216 x one of the Land Records of Frederick County a certified Copy of which deed is herewith filed marked Exhibit No. 1 to this Bill which it is prayed may be taken and considered as a part hereof, said property being situate and lying in Frederick County, Maryland.

3^d That said real Estate is not susceptible of division or partition amongst said parties so entitled thereto.

4th That it will be to the interest and advantage of all of said parties to have said real estate sold and the proceeds of sale divided amongst those entitled thereto in the proportion to which they are entitled.

5th That all the parties to this suit are adults and reside in Frederick County, Md.

6th That the said Howard Kottgoffle during his lifetime executed a mortgage upon the hereinbefore described property to Frederick Kottgoffle bearing date April 17th A.D. 1889 to secure the payment of the sum of seven hundred Dollars which mortgage the said Frederick Kottgoffle assigned to Susan C. Kottgoffle on the 16th day of A.D. 1893 - a certified Copy of which mortgage is herewith filed marked Exhibit No. 2.

7th That the widow the said Margaret Kottgoffle being entitled to dower in one third part of said real Estate for life and to have the same assigned and laid off to her is willing to waive her rights therein and to take in lieu thereof her allowance out of the proceeds of the sale of said real Estate.

8th That your Complainants pray the following relief viz:

1st That a decree may be passed for the sale of said real Estate and a division of the proceeds among said parties in the proportion to which they are entitled.

2^d That a summons may issue directed to the said John D. Kottgoffle and Susan C. Kottgoffle assignee of mortgage warning them to appear and answer this Bill of Complaint by a certain day to be named therein.

3^d And for such other and further relief as the nature of this cause may require.

And as in duty bound

Charles E. Jones

Sol. for Complainants

Filed February 24th 1893

Exhibit 11