

No. 6042. Equity.

James O. Cooper, Lillie M. Cooper, his wife, Alice V. Kesseling, Minnie C. Cooper and Howard C. Cooper. Plaintiffs.

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Mary A. Cooper, Charles H. Cooper, Margaret Cooper, his wife, Israel Keshman, May C. Keshman, his wife, Philetus Caver, Ann C. Caver, his wife, Harlan Cline, Sarah J. Cline, his wife, Harry Cooper, Minnie Cooper, Albert Cooper and William Cooper Defendants.

In the Circuit Court for Frederick County, in Equity

to the Honorable, the Judges of said Court:

Your Orators, Complaining, say

1. That a certain Charles Cooper died intestate in said County on the 23 day of June, 1872.
2. That said Cooper died seized and possessed of a large quantity of real estate situated in said County and more particularly described in the Certified Copies of Deeds for the same herewith filed and marked "Exhibits Nos 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100" which with all other exhibits herewith filed are prayed to be taken as a part hereof as if fully inserted in words and figures.
3. That in his life-time the said Charles Cooper executed a mortgage for the sum of Twenty hundred Dollars to one David C. Winbrow, which mortgage was subsequently assigned for value to your orator, James O. Cooper, and which said mortgage is still due and unpaid, and a Certified Copy of which mortgage is herewith filed as "Exhibit No. 1".
4. That said Charles Cooper left surviving him as his widow one Mary A. Cooper, and the following children and heirs at law: your orators, James O. Cooper a son, married to Lillie M. Cooper, Alice V. Kesseling, Minnie C. Cooper, daughters, and Howard C. Cooper, a son, Charles H. Cooper, a son, married to Margaret Cooper, May C. Keshman a daughter, married to Israel Keshman, Ann C. Caver, a daughter, married to Philetus Caver, Sarah J. Cline, a daughter, married to Harlan Cline, Harry Cooper, Minnie Cooper, Albert Cooper and William Cooper, the four last named being children of one John W. Cooper, a son of the said Charles Cooper and who died in the year 1859.
5. That all of said parties reside in Frederick County except the said Alice V. Kesseling, who lives in Washington County, Maryland.
6. That all of said parties are adults except the said Harry, Minnie, Albert, and William Cooper, children of John W. Cooper, who are infants, under the age of twenty-one years.
7. That said real Estate is not susceptible of a advantageous division among the parties in interest without loss and injury, and it would be to the advantage of all, infants as well as adults, to have the said real Estate sold and the