No. 6256. Equity.

deceased, a Copy of which will is filed herewith marked Exhibit No. 1, and which, with all other Exhibits herewith filed is prayed to be taken as part of this bill as fully as if here inserted in words and figures, and also certain and parcel of an other tract of land in said District Containing three acres one rood and fifteen perches of land more or less, Conveyed to said John D. Miller by Daniel Downes and wife, by deed a copy of which is filed herewith marked Exhibit No. 2.—

2.— That said Jno. D. Miller left surviving him the Plaintiff Catharine Miller, as his widow and the following as his only Children and heirs at law. Viz, the Plaintiffs, Annie Miller, Charles W. Miller and John E. Miller and also a daughter, Margaret Iler the wife of the Plaintiff Isaac Iler and who has since died leaving her husband surviving her and one Child Effie E. Iler who has inherited the share of said Margaret Iler in said real Estate.

3.— That all of said parties reside in Frederick County and they are all adults, except the said Effie E. Iler, who is an infant residing with her grand Mother Catharine Miller.

4.— That said real Estate is not susceptible of partition or division among the said heirs at law of John D. Miller & said Effie E. Iler, who now own the same as tenants in Common, without injury and loss and it would be to the interest of all parties, infant as well as adults for said real Estate to be sold and the proceeds divided Among them.

5.— That the said Catharine Miller, widow is willing for said real estate to be sold free and clear of her dower therein, she to receive in lieu thereof such proportion of the proceeds to which she may be entitled by the rules of your Honorable Court as will appear by her Consent in writing therefor filed herewith marked Exhibit E. M. And the Plaintiff pray.

1st That a decree may be passed by your Honorable Court appointing a trustee to sell said real Estate and divide the proceeds Among the parties entitled.—

2.— That a Subpoena in the usual form may be issued for said Effie E. Iler, infant, residing with her grand mother Catharine Miller near Woodsboro in Frederick County.

3.— That the Plaintiffs may have all such other and further relief to which they may be entitled.

And they will ever pray &c.

Milton G. Urner
Clayton C. Reedy
Edmund Urner
Sol'rs for Plaintiffs

Filed August 22nd 1894.

Exhibit No. 1.

Exhibit No. 1 —

In the name of God, Amen.

I John Miller of Frederick County in the State of Maryland, being feeble in body, but of sound