

No. 5653 Equity.

of Frederick County in said State died intestate leaving ^{as} his widow the said — Werner and as his only children and heirs at law the Complainant and the defendant Roy Werner who is a minor —

3- That the said Charles F. Werner died seized and possessed of a valuable farm in said County which is fully described in the deed from the same to said Charles F. Werner, which is filed herewith by a Certified Copy, as Exhibit "A" which is prayed to be taken considered as part hereof.

4- That it would be for the interest and benefit of the named Defendant herein, and is the wish and desire of the Complainant and the Defendant Lavinia Werner that Farm mentioned in Exhibit "A" should be sold and the proceeds thereof be divided among the persons entitled, the Widow retaining in lieu of her dower such sum in compensation thereof as may seem best to your Honorable Court that while said land and not be divided to advantage, but really a great loss in the sale of land.

5- That a portion of said land is now about to become valuable and valuable as town lots, said farm being very near the town of Berlin in said County and there being the prospect by a considerable market for town lots in vicinity of said town, while the retention of said land as a farm would be likely to divert the inquiry & tendency to build in other & different directions.

6- That the said Lavinia Werner is now Guardian of said Roy Werner appointed pro by the Orphans Court for Frederick County. Complainant prays for the following relief.

1st That a ~~license~~ may be granted for the sale of the land in Exhibit "A" mentioned and for the distribution of said proceeds of sale among the parties entitled, paying the widow in lieu of her dower, the value thereof out of the proceeds of sale.

2nd That the trustee appointed to make said sale may be empowered to divide and apportion the portion of said farm suitable for building lots as may seem best to him, and may have authority to sell the same at public or private sale.

3rd And he may — such other and further relief as his case may request.

And Complainant prays for the following process, that the writs of subpoena may issue in the usual