NO. 8037. Equity.

Petition and Courts Order. Filed Dec. 19-1906.

Richard Heater
Sarah Jane Williams et al } NO. 8037. Equity. In the Circuit Court for Frederick County. In Equity.

To the Honorable: The Judges of Said Court.

The Plaintiff in the above cause by his Solicitors respectfully represents unto Your Honors. That heretofore to wit- on August 3rd. A.D. 1906. the Defendants by their Solicitor filed in your Honorable Court their exceptions to the sufficiency of the order of Publication passed herein made in the cause to enable the Honorable Clerk to Demurrer in the premises. That nearly four months have elapsed since the filing of said exceptions and the same has not yet been submitted to the determination of the Court. That Your petitioner is desirous that the said exceptions may be heard by your Honorable Court, at as early a date as to your Honors will be agreeable and prays that said exceptions may be set down for a hearing by the Court. And as in duty etc.

P. F. Pampel
A. S. Brown
Solicitors for Plaintiff.

Courts Order

The aforegoing Petition having been read and considered by the Court it is thereupon ordered by the Court this 19th day of December A.D. 1906 that the same exceptions filed in this Cause on August 3rd. 1906. stand for hearing on the 2nd day of January A.D. 1907; Provided a Copy of this order be served on the said exceptants, or their Solicitor of Record on or before the 2nd day of December A.D. 1906.

(Seal) John C. Motter

1906. Dec. 19 Within Courts Order Served on Glenn H. Worthington Solicitor
John H. Marty Sheriff. Returned and filed Dec. 20-1906

Petition of Matilda A Heater to be made a party Plaintiff and Courts order thereon } Filed Dec 27-1906

To The Honorable: The Judges of Said Court.

The Petition of Matilda A. Heater of Loudoun County and State of Virginia respectfully shows unto Your Honors. 1st. That she is the wife of Richard Heater the Plaintiff in the above entitled cause, and that she was inadvertently omitted by the Solicitor in writing the Bill of Complaint filed in this cause as a party Defendant with the said husband Richard Heater in this Cause. 2nd. That your Oratrix the wife of Richard Heater, Plaintiff has an inchoate right of dower in the land mentioned and described in the Bill of Complaint and Your Oratrix would be barred and disinherited of any right of dower she may have therein. Your Oratrix therefore prays your Honors to pass an order making your Oratrix a party Defendant in this proceedings the same as if she had been originally included as a party Defendant to the Bill of Complaint, which Your Oratrix hereby ratifies and confirms as her own the same as if she had been originally a party thereto. And as in duty etc. will ever pray etc.

P. F. Pampel
A. S. Brown
Solrs for Petitioner

Courts Order. The aforegoing Petition of Matilda A. Heater wife of Richard Heater, the Plaintiff in the above and aforegoing entitled proceeding being No. 8037. on the docket of this Court having been read and considered by the Court It is thereupon ordered by the Circuit Court for Frederick County, sitting as a Court of Equity and by the authority thereof that Matilda A. Heater of Loudoun County in the State of Virginia, the wife of Richard Heater the original Plaintiff in this cause, be and she is hereby made party Defendant in this proceeding and the Clerk of this Court will in accordance herewith the order entered herein upon the docket of this Court in No. 8037. Equity on the Equity docket thereof as a party Defendant in this proceeding. and that the said Matilda A. Heater be taken and considered as a party Defendant in the cause the same as if she had been originally included as a party Defendant in the Bill of Complaint as originally filed in this cause, and be subsequent proceedings had therein.

John C. Motter

Dated this 27th day of December A.D. 1906

Petition of & Prayer of Richard Heater for leave to amend original Bill. Prayer for Subpoena and order of Publication, and Courts order thereon. } Filed April 3rd. 1907.

To the Honorable: The Judges of Said Court:

The Petition of Richard Heater, Complainant in the above entitled cause respectfully shows unto Your Honors — 1st. That your Orator respectfully prays that leave be granted him by Your Honorable Court to amend the original Bill of Complaint filed in this Cause by the addition of the following Paragraphs to be known as Paragraphs 2½ as follows to wit, 2½ — That the following Heirs of said John Heater at the time of his decease and at the time of the filing of this Bill of Complaint are as follows, to wit: Your Adult son Richard Heater of the Complainant in this Cause, whose wife is Matilda A. who are now residents of the State of Maryland residing in the State of Virginia. An Adult daughter Sarah Jane Heater who intermarried with one John H. Williams who are now residents of the State of Maryland residing in the State of Virginia; Your Adult son George H. Heater whose wife's name is Julia E. Heater. The said George H. Heater being a resident of Frederick County, State of Maryland, and the said Julia E. Heater, wife of the said George H. Heater, residing as your oath is informed, are only children and are living in the District of Columbia and is a non-resident of the State of Maryland. An Adult son Philip Henry Heater who departed this life since the decease of his Father the said John Heater leaving surviving him the following children, an adult son John Heater whose wife's name is — Heater and an adult daughter Minnie Heater whose husband's name is Upton Shipper