No. 8223 Equity.

Ch. 30-1907.

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vitiated by certain erasures and changes which tends to nullify its provisions, a Certified Copy of said Will being filed herewith as a part hereof Marked "Exhibit 3".

3rd. That Lewis H. Miller, the husband of the said Lydia A. R. Miller who had a life estate in said property mentioned in "Exhibit A" is now dead, he having departed this life October 16, 1907.

4th. That the said Lydia A. R. Miller left surviving her as her only heirs at law and next of kin: Clarence E. Miller, Lemuel E. Miller, John L. R. Miller, whose wife's name is Catherine Miller, Isabella S. Reed, who intermarried with one, Noah H. B. Reed, the Plaintiffs in this Cause, and Charles M. Miller, whose wife's name is Fannie E. Miller.

5th: That Charles M. Miller departed this life, November 10, 1895, leaving surviving him a widow whose name is Fannie E. Miller, and the following Children, to-wit: Edith Miller and Marion S. Miller, both of whom are infants under the age of twenty-one years, and reside with their mother, Fannie E. Miller in Frederick City, Maryland.

6th. That the land mentioned in "Exhibit A" descended to and vested in the Plaintiffs and defendants in this Cause; that said land and premises is not susceptible of division among the parties thereunto entitled without loss and injury, and that it would be to the interest and advantage of all the parties to have the same sold and the proceeds divided among the parties thereunto entitled, according to their respective rights and interests.

To the End, Therefore, (a) that a decree may be passed by your Honorable Court appointing a Trustee to sell the land mentioned in "Exhibit A", and that the proceeds therefrom may be divided among the Plaintiffs and Defendants according to their respective rights and interests. (b) That the Plaintiffs may have such other and further relief as the nature and equity of their Case may require.

May it Please your Honors to grant unto the Plaintiffs the Writ of Subpoena in the usual form against Fannie E. Miller, widow, Edith Miller and Marion S. Miller infants, all of whom reside in Frederick City, Maryland, warning them and each of them to appear in this Court in person on or before a day certain to be named therein to show Cause, if any they have, why a decree ought not to pass as prayed

Pray as in duty, etc.

Emory L. McCleary
Chester C. Waters.
Solicitors for Complainant