NO. 8836 EQUITY.

Laura A. Routzahn and Albert B. Routzahn, her husband; Lavinia A. Gaver, Grauson R. Gaver and Laura E. gaver, mother and next friend of William Urber Gaver, John Milton Gaver, Gordon Paul Gaver and Laura Ann Gaver, Infants, Plaintiffs.

Vs.

William Gordon Gaver, John Milton Gaver, Gordon Paul Gaver and Laura Ann Gaver, defendants.

No. 8836 Equity.

In the Circuit Court for Frederick County sitting as a Court of Equity.

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To the Honorable the Judges of said Court--

Your Oratrices and Orator complaining says--

1. That Tilghman F. gaver, late of Frederick County, died intestate on or about the month of June A. D. 1906, seized and possessed of a tract of about thirty acres of land situated in Middletown District, Frederick County, and more particularly hereinafter described, and leaving Lydis M. Gaver as his widow, and leaving Calvin L. Gaver, William E. gaver, and the Plaintiffs Laura A. Routzahn, Lavinia A. gaver, and Grayson R. Gaver as his only children and heirs at law.

2. That said William E. Gaver died intestate on the 31st day of December, A. D. 1911, leaving the Plaintiff Laura E. gaver as his widow and said William Urner Gaver, John Milton Gaver, Gordon Paul Gaver and Laura Anne Gaver, all of whom are infants, as his only children and heirs at law.

3. That said Calvin Urner died intestate on or about the Day of January A. D. 1912, unmarried and without children and leaving said Laura A. Routzahn, Lavinia A. Gaver, Grayson R. Gaver his sisters and brothers and said William U. Gaver, John Milton Gaver, Gordon Paul Gaver and Laura Anne Gaver, children of his deceased brother William E. gaver, as his only heirs at law.

4. That the said Tilghman F. Gaver acquired title to said real estate of which he died seized and possessed, as follows--(1) Twenty two acres more or less, by deed from Peter Shafer, a copy of which is filed herewith marked "Exhibit No. 1" and which with all other exhibits herewith filed is prayed to be taken as a part of the Bill of complaint as fully as if here inserted in words and figubes; (2) Six acres, three roods and thirty-five square perches, conveyed to him by Enos Biser and wife, by deed for eight acres and twenty perches, a copy of which is filed herewith as Exhibit No. 2, less one acre and twenty five perches, by said Tilghman F. Gaver, and wife to Peter Whip by deed, a copy of which is filed herewith as exhibit No. 3, (3) Seven-eighths of an acre or three roods and twenty- perches of land devised to said tilghman F. Gaver by the last will of David Hart, deceased, duly admitted to probate and recorded in liber, J. R. R. No. 1 folio 532 &c., one of the records of Wills of Frederick County; and (4) Ninety-two square perches which said Tilghman which said tilghman F. gaver as Executor of the last will of said David Hart, deceased, sold to his wife Lydia M. gaver.

5. That Tilghman F. Gaver as executor as aforesaid sold said ninety-two square perches last mentioned to his said wife and executed a deed to her for the same on the 9th day of May 1882, and which deed is filed herewith marked exhibit NO. 4, although said deed was never recorded, and said Tilghman F Gaver as Executor as aforesaid charged himself with the purchase price for the said land so sold, and took possession thereof and used the same as his own as part of his said tract of thirty acres, more or less, continuously for more than twenty-five years prior to his death; but if the said ninety-two perches of land did not belong to said Tilghman F. gaver as the