

NO. 9150 EQUITY.

Carrie M. Fuss and Charles R. Fuss  
Plaintiffs.

No. 9150 Equity.

Vs.

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

Elmer L. Fuss, John M. Fuss,  
Clarence M. Fuss and Robert W. Fuss,  
all Infants, Defendants.

To the Honorable, the Judges of said Court--

Your oratrix and orator of Frederick County, complaining says--

1. That a certain Edward M. Fuss was, in his lifetime and at the time of his death, seized and possessed of valuable real estate situated in the Fifth Election District of Frederick County and State of Maryland, consisting of Two farms, and a mountain lot, one of said farms containing One Hundred and sixty six acres, one rood and thirty seven square perches of land, more or less, lying in an easterly direction from the town of Emmitsburg, along and near the public road leading therefrom to Taneytown in Carroll County, formerly known as "The Plank Road" and being near Middle Creek, adjoining lands of Peter C. Eyer, Mahlon Stonasifer and others, conveyed to the said Edward M. Fuss by Virginia Gillelan and others by their deed dated the thirteenth day of March in the year nineteen hundred and five, and recorded in Liber S. T. H. No. 269 folio 321 one of the land records of said Frederick County, the other of the said farms lying about one-half a mile in a Southerly direction from the aforesaid farm, adjoining lands of Mahlon Stonasifer, Henry P. Maxell, Mrs. James W. Troxell and others, containing one hundred and twenty-five acres, three roods and eight square perches of land, more or less, conveyed to the said Edward M. Fuss by his father, John Fuss, whose wife was then dead, by deed dated the thirty-first day of January, in the year eighteen hundred and ninety, and recorded among said land records in Liber W. I. P. No. 9 folios 697 and 698 the said Mountain lot being situated in said Fifth Election District about three miles west of said Town of Emmitsburg in Hampton Valley, adjoining the lands of J. Rowe Ohler and others containing six acres, three roods and thirty eight square perches of land more or less, conveyed to the said Edward M. Fuss in the aforesaid deed from his father, John Fuss, dated the 31st day of January, in the year 1890 and recorded as aforesaid, duly certified copies of which said two deeds are filed herewith as parts hereof marked Exhibit No. 1 and Exhibit No. 2.

2. That being so seized and possessed the said Edward Fuss died intestate in said Frederick County on or about the seventh day of June, in the year nineteen hundred and thirteen, leaving surviving him a widow, Mary C. Fuss, who is entitled to dower in all of said real estate, and the following named children and heirs at law, to whom said real estate descended--

(a) the Plaintiff Carrie M. Fuss, an unmarried daughter and an adult residing in said Frederick County.

(b) The Plaintiff Charles R. Fuss, an unmarried son and an adult residing in said Frederick County.

(c) The defendant, Elmer L. Fuss a son, an infant under twenty-one years of age and residing in said Frederick County.

(d) The defendant, John M. Fuss, a son, an infant under twenty-one years of age and residing in said Frederick County.