

- (1) An adult son, John E. Burrier.
- (2) An adult son, William H. Burrier.
- (3) An adult son, Darwin D. Burrier.
- (4) An adult daughter Jennie E. Burrier.
- (5) An adult daughter Oda C. Burrier.

All of whom are unmarried and resident of Frederick County, Maryland, also,

- (6) A daughter Moloie R. Lochner, whose husband's name is Lewis F. Lochner, both of whom are adults and residents of Frederick County Maryland.
- (7) A daughter, Carrie L. Lochner, whose husband's name is John E. Lochner, both of whom are adults and residents of Frederick County Maryland.
- (8) A daughter, Fannie M. Fogle, who departed this life on March 15th, 1910 intestate, leaving surviving her a husband George P. Fogle, who is an adult and resides in Frederick County, Maryland, and the following named children, all of whom are infants, under the age of 21 years, viz--
 - (1) Grayson Burrier Fogle, aged 14 years.
 - (2) Rhena Harriet Fogle, aged 11 years and
 - (3) Mary Catherine Fogle, aged 5 years, all of whom are infants and reside with their grandmother Mary C. Burrier, in Frederick County, Maryland.

3. That the real estate above mentioned and described of which the said John Wm. Burrier died, seized and possessed, descended to and vested in the parties aforesaid as tenants in common, subject to the dower right of Mary C. Burrier, widow, which right she is willing to waive and relinquish and take in lieu thereof the amount in cash allowed to her by the laws of the State of Maryland, and that the said real estate is not susceptible of partition or division amongst the parties entitled to interest therein without great loss, damage and injury to them, and it would be to the best interest and advantage of all the parties concerned, and especially of the infant heirs, to have the said real estate sold under a decree of Your Honorable Court and the proceeds divided amongst them, or invested for the benefit of the parties entitled thereto according to their respective rights and interests.

To the end therefore--

1. That a decree may be passed by Your Honorable Court for the sale of the real estate of which the said John Wm. Burrier died seized and possessed and mentioned and described in paragraph No. 1 of this Bill of Complaint.
2. That the proceeds arising from said sale may be distributed amongst the parties entitled thereto, according to their respective rights and interests therein.
3. That your complainants may have such other and further relief as the nature of their case may require.

May it please Your Honors to grant unto Your Orators and Oratrices the writ of subpoena, directed to the said Grayson Burrier Fogle, Rhena Harriet Fogle and Mary Catherine Fogle, infants, residing in said Frederick County Maryland, commanding them and each of them, to be and appear in this Court at some certain day to be named therein, to answer the premises and abide by and perform such decree as may be passed therein.

And as in-duty bound, etc.

B. Princeton Buckey
Solicitor for Complainant.

EXHIBIT A.

At the request of John W. Burrier, the following deed was recorded March 10th 1876.

This deed made this 19th day of May in the year eighteen hundred and seventy five by us Elizabeth Derr, late of Frederick County in the State of Maryland, deceased, who departed this life intestate leaving certain real estate of which that hereinafter described and conveyed is a part, Mary *L.*