

Bill of Complaint

No. 7209 Equity.

Bill of Complaint

Marked Exhibit No. 1, which together with all other Exhibits herewith filed, it is prayed, may be taken and considered as part of this bill of Complaint.

Secondly:—Of an undivided one half interest in and to lots numbers Four, Thirty two, Thirty six, Fifty two, Fifty three, Fifty nine, Eighty seven, Eighty Eight, and ninety two, as shown on the plat of Berlin, Frederick County, State of Maryland, now Brunswick, Frederick County, Maryland, together with the improvements thereon, and all water and other rights thereunto belonging as in anywise appertaining, also including the Blacksmith Shop, on the South Side of the Chesapeake and Ohio Canal subject to all rights of said Canal Company, which said undivided interest the said Benjamin P. Crompton obtained under and by virtue of the two following deeds, deed from John L. Jordan, Jr. and Amanda L. Jordan, his wife, to Benjamin P. Crompton and George T. Dunlop dated on the 17th day of February, in the year eighteen hundred and eighty three, and recorded in Liber W. S. P. No. 4 folio 267c, and by deed from John L. Jordan, Jr. and Amanda L. Jordan, his wife, to Benjamin P. Crompton and George T. Dunlop, dated on the 28th day of August 1890 and recorded in Liber W. S. P. No. 11 folio 475vc. Land Records of Frederick County, as will fully appear by reference to certified copies of said deeds filed herewith as Exhibits Numbers two and three respectively.

4th That the said George T. Dunlop is seized and possessed of an undivided one half interest in and to all of the land above mentioned except the four and one-fourth acres conveyed to the said Benjamin P. Crompton by Mary G. and Edward P. Brown aforesaid, and is, therefore, as to all except said four and one-fourth acres, a tenant in common with the aforesaid heirs at law of Benjamin P. Crompton, deceased.

5th That on the 7th day of February, in the year Eighteen hundred and ninety-one the said Benjamin P. Crompton and George T. Dunlop, executed their deed of mortgage, conveying unto William Graham the aforesaid property of which they the said Benjamin P. Crompton, and George T. Dunlop, were seized as tenants in common, to secure the payment of the sum of Four thousand dollars.

That since the execution of said mortgage, the same has, by successive assignments become vested in Upton A. Sharrett, a resident of Frederick County, State of Maryland, an adult, and who is now sojourning in the Empire of Germany. That since the execution of said mortgage the sum of Two thousand dollars has been paid thereon, together with interest on the whole principal, so that there is now due for and on account of the same the principal sum of two thousand dollars and interest from the last day of payment. As will appear by reference to a certified copy of said mortgage and the assignments re. thereof, filed herewith as Exhibit No. 4.

That the real estate aforesaid is not susceptible of division or partition among the respective owners thereof without great loss and injury and it is therefore to the advantage of all said parties that said real estate should be sold under a decree of your honorable Court and the proceeds thereof after the payment of costs and expenses and the mortgage debt aforesaid be divided among the parties thereto entitled in accordance with their respective interests.