

NO. 9092 EQUITY.

Joseph W. Smith, Assignee,  
and Hepsie E. Etehison.

Vs.

G. Wesley Kindley ans Julia Kindley, his wife;  
Ernest Kindley and Mamie Kindley, his wife;  
William K. Davis and Mary E. Davis, his wife;  
Bradley Kindley and Kindley, his wife;  
Mary Kindley, widow, Nellie McComas and  
George McComas, her husband; Murray and Edith  
Kindley, his wife; Joab W. Davis jr., a non  
compos, Alfred Davis and Louise Davis his wife;  
and Grover Davis and mollie Davis, widow.

No. 9092 Equity.

In the Circuit Court for  
Frederick County, in Equity.

To the Honorable, the Judges of said Court--

The Bill of Complaint of Hepsie E. Etehison and Joseph Walter Smith, assignee, respectfully shows  
unto Your Honors--

First--That George F. Kindley, Sr., late of Frederick County, in the State of Maryland deceased, was in his lifetime and at the time of his death, seized and possessed, in fee simple, absolutely, of a large amount of real estate, situated and lying in said Frederick County, and the State of Maryland, among which said real estate, was a certain farm, known as "a portion or residue of the Home Farm" and not devised to his son Sebastian etc., which said portion of said Home Farm contained about one hundred and twenty-seven and one-half acres of land, more or less, and was devised by the said George F. Kindley Sr., unto his daughter Miranda E. Boyer, for and during her natural life, and after her death, for the use of her husband Wesley Boyer, as a home, during his life time etc., upon his paying the sum of One Hundred Dollars annually etc., all of which together with a description of said real estate, will more fully and at large appear thereto, of the said George F. Kindley Sr., dated on the 8th day of November 1867, and duly probated and recorded in liber J. P. P. No. 2, folios 300, etc., one of the records of Wills in the office of the Register of Wills, for Frederick County, a certified copy of which said last will and testament and codicils thereto, is herewith filed, marked Exhibit A., and together with all other exhibits herewith filed, is prayed to be taken and considered as a part of this Bill of Complaint.

Second--That being so seized and possessed the said George F. Kindley Sr., departed this life about 30 years ago leaving no widow surviving him and leaving a last will and testament and codicils thereto, duly probated and recorded as aforesaid.

Third--That under and by virtue of said will and codicils thereto, as will fully and at large appear by reference to the same, the said George F. Kindley Sr., devised the said real estate (being a portion of the Home Farm, not devised to his son Sebastian, Etc) containing about one hundred and twenty-seven and one-half acres of land, after the death of his said daughter, Miranda E. Boyer and after the death of her said husband Wesley Boyer both of whom are now deceased to be divided per stirpes, amongst the remainder of his children then living and the descendants, of any deceased child, as per said will and codicils.

Fourth--That the children and descendants and assigns who are now entitled to a distributive share of said real estate, are as follows--

The children of George F. Kindley jr., deceased, whose wife's name is Kindley, and who is about sixty-five years of age, and resides in Frederick County, Maryland, the said George F. Kindley Jr., having died after the death of his father George F. Kindley, Sr., and left surviving him the following named children as his descendants and heirs at law--

G. Wesley Kindley, a son, whose wife's name is Julia Kindley, both of whom reside in Frederick County, Maryland, a son Ernest Kindley, whose wife's name is Mamie Kindley, both of whom reside in said Frederick County, Maryland, a son Bradley Kindley whose wife's name is Kindley both residing in the City of Baltimore, and State of Maryland, a deceased son Newton Kindley, whose wife Msry Kindley, is now living in the City of Baltimore, and State of Maryland, and who left surviving him, a daughter Nellie McComas, whose husband's name is George McComas both residing in Harford County, in the State of Maryland; a son Murray Kindley whose Wife's name is Edith Kindley, both