

N<sup>o</sup>. 2667 Equity

The State of Maryland, Frederick County, to wit,  
At a Circuit Court of the Third Judicial Circuit of the State of Maryland, sitting as a Court of Equity held at the Court House in Frederick Town in and for the County aforesaid on the second Monday of February in the year eighteen hundred and fifty seven

Present The Hon. Madison Nelson, Circuit Judge,  
Mahlon Rhodenick, Esq. Sheriff &  
Edward Shover, Clerk.

Among other were the following proceedings, to wit,

Jacob Marken and  
Rebecca Marken his wife  
vs  
Others

Be it remembered, that heretofore, to wit, on the 24<sup>th</sup> day of April in the year eighteen hundred and fifty six, came the said Jacob Marken and Rebecca his wife & Others in the Court here sitting, by William J. Ross, solicitor, and filed in Court here the following Bill and Exhibit,

Margaret Marken & others

Bill

To the Honorable Madison Nelson, Circuit Judge for the Third Judicial Circuit of the State of Maryland sitting in the Circuit Court for Frederick County. The bill of complaint of Jacob Marken and Rebecca Marken, his wife of the State of Indiana, of Wesley Marken and Sarah E. Marken his wife, John Hoover of and Catharine Hoover his wife, John D. Dubel and Mahala Dubel his wife of Frederick County, State of Maryland respectfully sheweth that Samuel Marken late of Frederick County, State of Maryland, died intestate in the year eighteen hundred and fifty four; seized and possessed in fee of all that tract of land situate in the County of Frederick, State of Maryland, called "Good Luck" granted by the State of Maryland to the said Samuel Marken by Patent dated on the twelfth day of September eighteen hundred and thirty eight, and containing ninety four acres, one rood and twenty six perches of land, as by reference to said Patent herewith exhibited marked Exhibit N<sup>o</sup> 1 will fully appear, which Exhibit together with all other Exhibits hereinafter produced, your complainants pray may be taken as a portion of this their bill of complaint. Your complainants further state that the said Samuel Marken left a widow named Margaret Marken and the following to whom said lands descended as his heirs at law, to wit; John Marken, Jacob Marken, Catharine now wife of John Hoover of D. Henry Marken, Mahala, now wife of John D. Dubel, Wesley Marken, and Elias Marken. Your complainants charge that John Marken who married Catharine Recker, is one of the sons and heirs of said Samuel Marken has left the State of Maryland and does not reside therein, and resides in parts unknown to your complainants. That Henry Marken and Eliza Marken his wife and Elias Marken, other heirs of said Samuel Marken, deceased, reside in Frederick County, Maryland. That all the heirs at law of said Samuel Marken are of full age except Elias Marken who is an infant under the age of twenty one years. Your complainants further state that the said land is susceptible of partition among the parties aforesaid, and that if it cannot be divided between them with advantage to all parties aforesaid, then that your complainants will be entitled to have the same sold and the proceeds distributed among the parties in proportion to their

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