

No 3593 Equity

Bill

To the Honorable the Judges of the Sixth Judicial Circuit of the State of Maryland, sitting in the Circuit Court for Frederick County as a Court of Equity The Bill of Complaint of Bryan Philpot and Adeline Philpot his wife of the State of Illinois, of John Philpot of Ann W Philpot of John Reid and Elizabeth Reid his wife of Roman B Philpot of Frederick County, State of Maryland, and of William H Hull and Catharine T Hull his wife, and of Thomas B Philpot of Allegany County, State of Maryland, shows that Bryan Philpot, senior, being seized in fee in certain real and personal estate situate in Frederick County, by deed in conjunction with his wife Harriet W Philpot conveyed the same to Benedict Boone in trust to sell said real and personal estate or so much thereof as may be necessary to pay the debts of said Bryan Philpot, and upon the further trust to reconvey to said Bryan Philpot his heirs and assigns any of the real and personal estate not necessary to be sold for the purposes aforesaid, all of which matters will more fully and and at large appear reference being had to a copy of said deed herewith exhibited, marked Exhibit No 1, which your complainants pray may be taken and considered as a part of this then Bill of Complaint together with all other exhibits hereinafter produced Your complainants further state that the said Benedict Boone entered upon the discharge of his trust sold some portions of the real and personal estate leaving a large part of the real estate unsold and paid all the debts of the said Bryan Philpot and that a large part of said real and personal estate, resulted to the said Bryan Philpot as a resulting trust Your complainants further state that the said Bryan Philpot died prior to the year Eighteen hundred and fifty three intestate leaving a widow Harriet W Philpot, and the following children his heirs at law to whom said lands descended, to-wit 1- Bryan Philpot who married Adeline W Dury, and who now lives in Illinois and are adults 2- John Philpot, an adult, living in Frederick County State of Maryland 3- Ann W Philpot, adult living in same County 4- Edward Philpot who died intestate in the year Eighteen hundred and Sixty seven, leaving four children all infants, to-wit George Philpot Thomas Philpot and Edward Philpot, living in Cumberland Maryland and a daughter Elizabeth Philpot an infant living at Rye State of New York 5- Elizabeth now wife of Dr John Reid now living in Frederick County, Maryland 6- Sarah Philpot who died intestate some three years ago before her mother Harriet W Philpot leaving her brothers and sisters and and the children of Edward Philpot deceased, as her heirs at law 7- Roman B Philpot adult and is resident of Frederick County, State of Maryland 8- Catharine T who married William H Hull and now resides in Allegany County, Maryland, both of whom are adults 9- Thomas B Philpot adult who now resides in Allegany County, Maryland Your complainants further state that Bryan Philpot and Adeline Philpot by deed dated on the 9th day of April 1853, conveyed all their interest in said real real estate to Dr John Reid as will be seen by Exhibit No 2