

No. 2760. Equity

Bill.

To the Honorable the Judges of the Sixth Judicial Circuit of the State of Maryland sitting on the Circuit Court for Frederick County and Court of Equity
 The Bill of Complaint of John M. Thebus and Elizth Thebus his wife Aldred L. Stralman and Mary W. Stralman his wife of Frederick County State of Maryland respectfully shew to your Honors, that a certain Elizth Thebus late of Frederick County, died sometime in the month of February in the year Eighteen Hundred and Seventy two seized and possessed of certain valuable Real Estate described in a Deed from Alphus W. Marriott to said Elizabeth Thebus and more particularly described and set forth in a Deed from Sadon Parry and wife to said Elizth Thebus and Horatio Waters and wife to said Elizth Thebus, all of which will more fully and at large appear by reference to certified Copies of said Deeds hereunto Exhibited marked Exhibits No. 1 2 & 3.

Your Complainants further charge that the said Elizabeth Thebus died intestate as aforesaid, leaving the following children and Grand Children, to whom the said lands descended as Tenants in Common as follows,

- 1 James Thebus married to Elizabeth Wells.
- 2 Anna Struck wife of Jno. Hark, only child of Geo Thebus, a Son of said Intestate
- 3 Mary W. Stralman now wife of Aldred L. Stralman
- 4 John M. Thebus married to Elizabeth Pelti
- 5 Jane _____ now wife of _____
- 6 Elizabeth Thebus
- 7 Benjamin M. Thebus married to Elizabeth Augersimer.
- 8 Frank Purke and Anna Mary Purke Children of Batheman M. Purke a Decedent Daughter of said Intestate

Your Complainants further charge that all of said children and grand children are Adults except Frank Purke and Anna Mary Purke who are Infants under the age of twenty one years, and all reside in Frederick County and State of Maryland except Jane now the wife of _____ who resides in (Cantgomery) County State of Ohio

Your Complainants Charge that they together with the Defendants hereinafter named are seized of the lands aforesaid described as Tenants in Common, that the said lands cannot be divided without loss and injury to the parties interested and that it would be to the benefit and advantage of all concerned, that the Real Estate in the preceding mentioned be sold and the proceeds, divided amongst all those interested according to their several and respective Interests

To the end therefore that the Defendants herein after named may answer the several matters and things hereinafter stated the same as if they were herein again repeated and they are therefore specially interrogated, and that the Real Estate in the preceding mentioned may be sold under and by virtue of a Decree of your Honorable Court, and the proceeds of sale divided amongst those interested according to their several and respective interests and that your Complainants may have such other and further relief as the matter and equity of their case may require.

Mary W. Stralman your Petitioner prays that your Complainants an Order of Publication going notice to the said Jane formerly, Jane Thebus and her Husband who are now residents as before stated are of the substance and object of this Bill & warning them to appear in this Court in person or by solicitor on or before a certain day to answer the premises and show cause if any they have why a Decree ought not to pass as prayed, and also a writ of Subpoena against the said

Exhib

Exhib 2