

No. 11534 Equity

Lloyd A. Warfield & wife

Bill of Compl^t

vs

Mary Catharine Warfield & others

To the Honorable the Judges of the Circuit Court for Frederick County sitting as a Court of Equity

The Bill of Complaint of Lloyd A. Warfield, and Mary Ellen Warfield, his wife, of Frederick County, respectfully shew unto your Honors, that Alexander Warfield late of said County died, sometime in the year eighteen hundred and fifty nine seized and possessed of thirty nine and one half Acres of Land, more or less, particularly described in two deeds of Conveyance one from John Engel & wife to said Alexander Warfield, and the other from Sarah M. Warfield and wife to said Alexander Warfield, certified copies of which are filed herewith, marked Exhibits Nos. 1 & 2 respectively and which with all other Exhibits herewith filed are prayed to be taken as part of this Bill of Complaint as fully as if here inserted in words and figures, that said Alexander Warfield, did after executing his last will and testament by which he devised all his said real estate to his wife Eliza A. Warfield during her natural life, or so long as she should remain his widow, and further directed that after either the death, or marriage of said Eliza A. Warfield, said Real Estate should be divided among his legal heirs, "share and share alike, as will appear by a certified copy of said will filed herewith, marked Exhibit No. 3, that during the lifetime of both said Alexander Warfield and Eliza A. Warfield they became seized, and possessed, as joint tenants, of about One hundred and twelve acres of Land, described in two deeds of conveyance one from Susannah Newgrove to said Alexander and Eliza A. Warfield, and the other from Ruthen Warfield, and wife to said Alexander, and Eliza Ann, certified copies of which are filed herewith, marked Exhibits 4 & 5, and said Alexander & Eliza A. Warfield, conveyed to Ellen Baker one Acre, three Rods eight perches of that tract of land known as "The Return in Good Neighborhood" and described in said deeds, as will appear by the deed therefor, a copy of which is filed herewith marked Exhibit No. 6. - that said Eliza A. Warfield survived the said Alexander, and by reason of such survivorship became seized, and possessed of the same in fee simple, and died intestate seized, and possessed of the same in September 1879, except so much thereof as had been conveyed to said Ellen Baker, as aforesaid, and also excepting so much thereof as was conveyed by said Eliza A. Warfield to Geo. W. Eglyer by deed, a certified copy of which is filed herewith, marked Exhibit No. 7, that said Eliza A. Warfield, also died seized and possessed of another lot of Ground, containing One Acre, and eight square perches of Land, more or less, described in a deed from Geo. W. Eglyer to said Eliza A. Warfield, a certified copy of which is filed herewith, marked Exhibit No. 8. - Your Complainants would further show that on the 31st day of May in the year Eighteen hundred and seventy six, in order to secure to one Jonathan Browning the payment of the sum of two hundred and seventy nine dollars then due and owing from said Eliza A. Warfield to said Jonathan Browning, the said Eliza A. Warfield conveyed to said Jonathan Browning by deed of mortgage the said tract of One hundred and