

## No. 4631 Equity

situated in Frederick County, fully described in the Exhibits filed, as part of the Bill of Complaint; that she died intestate, leaving surviving her, a husband, Alpheus W. Marriott, a daughter, Mary R. wife of Charles E. Mealey, a daughter Laura (V who intermarried with John H. Ryan, a son, a son, Charles H. Marriott, and a son James R. Marriott, to whom said real estate descended; that said Charles H. Marriott, and James R. Marriott are believed to have married, but the names of their wives and whether they are living or dead are unknown to Complainants, that said Alpheus W. Marriott married, and the name of his wife is Barbara Marriott, that Laura (V Ryan has since died, leaving her husband, John H. Ryan, surviving her, and no children, and the following brothers and sisters, namely, Mary R. Mealey, Charles H. Marriott and James R. Marriott; that said Charles H. Marriott conveyed by Mortgage his interest in the land, described in Exhibit A, filed with the bill as part of "Hammond's Delight" to a certain Simon C. Simmons, and that his interest in said land was afterwards sold, and conveyed in the year 1865 to said Alpheus W. Marriott; that the interest of said Charles H. Marriott in the One hundred, and thirty-nine and one fourth, acre of Land, described in said Exhibit A, was in the year 1867, sold and conveyed by Nathan O. Neighbors, Sheriff of Frederick County, to a certain Albert W. Burkhart, and that in the year 1870, the said Charles H. Marriott, sold, and conveyed his interest in the Real Estate, described in Exhibit B, to the Bill to Albert W. Burkhart, and Nathan O. Neighbors, and that said Charles H. Marriott has no longer any interest in the lands described in said Exhibits A and B, except what vests in him, as an heir of his deceased sister, Laura (V Ryan, except the Eleven Acres mentioned in Exhibit A, wherein he still retains his full interest; that said Albert W. Burkhart, conveyed to said Nathan O. Neighbors one-half of the interest, conveyed to him by said Neighbors, as Sheriff, in said One hundred and thirty-nine and one fourth acre of Land; that in, or about the year 1878, said Nathan O. Neighbors, died intestate, leaving surviving him as his heirs the following children, Martha R. Neighbors, Sarah E. Neighbors, Roger M. Neighbors, John H. Neighbors, Nathan O. Neighbors, Estlin H. Neighbors, Fleet R. Neighbors, the name of whose wife is Adeline Neighbors, and J. William Neighbors, the name of whose wife is Belle R. Neighbors; that in the year 1873 the said Alpheus W. Marriott, conveyed all his interest in all said Real Estate to a certain Barbara Robinson, and that subsequently he intermarried with said Barbara Robinson, and in the year 1880, died intestate leaving his said wife Barbara surviving him, and his said children Mary R. Mealey, Charles H. Marriott, and James R. Marriott. The Bill then sets forth the fractional undivided interests owned by each party thereto in the respective parcels of said Real Estate herein before indicated by purchase, under the deeds herein before referred to, as well as by inheritance, as herein before set forth.

The Bill further states that said Real Estate is not susceptible of division without great loss and injury to the parties interested therein, and that it will be to the interest, and advantage of all said parties that the same be sold, and the proceeds of sale, distributed among the parties thereto in proportion to their respective interests. The Bill further states that all of said parties are adults, and that all reside in the State of Maryland, except Charles H. Marriott and wife, and James R. Marriott and wife, who are non-residents, not residing in the State of Maryland. The Bill then prays for the passage of a decree for the sale of said Real Estate, for general relief and for process.

It is therefore, this 19th day of October A. D. 1880, by the Circuit Court for Frederick County, as a Court of Equity, and by the authority thereof adjudged, and ordered that the Complainants give notice to said non-resident Defendants Charles H. Marriott and wife and James R. Marriott and wife of the substance and object of the Bill filed with this Cause by publishing this order in some Newspaper published in Frederick County, once a week for four successive weeks prior to the 18th day of November A. D. 1880, warn them and each

Order of  
Publication