

No. 4629 Equity.

particularly, described in a deed, made on the 3^d day of April A. D. 1857, by John Miller of M., to the said Ellen Smith, and, duly recorded in Liber T. G. No. 1, folio 16th &c. one of the Land records of Frederick Co. the original of which, deed is herewith filed & marked Ex "B."

Your Complainants further show that the said property is not susceptible of division, and that no division can be made without great injury and detriment to said property & to the heirs thereof.

To the end therefore that the said property, may be sold, and distribution of the proceeds thereof be made, your Complainants pray that a guardian ad litem for the said John Smith, lunatic, be appointed by the Court, and for the writ of subpoena, against the said John Smith Lunatic and the said Guardian ad litem, to be and appear in this Hon. Court on a day to be named therein to answer this Bill. And for such other and further relief as your Complainants may be entitled to,

And as in duty bound &c.

Israh Bowles
Solicitor for Complainant

Filed Sept. 18, 1880.

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Court's Order.

The above Bill being read and considered it is hereby ordered on this 18th day of September, A. D. 1880, that Henry Snyder be and he is hereby appointed Guardian ad litem for Respondent John Smith, and that subpoenas issue as prayed.

John A. Lynch
Judge of the Cir. Court

Filed Sept. 18, 1880.

State of Maryland Frederick Co. Md.

I hereby certify that on this 18 day of Sept. A. D. 1880, before the subscriber, a Justice of the Peace in & for the County & State aforesaid personally appeared Mr. Justice Emmott, and being duly sworn, according to Law deposes and says. To wit:

Exhibit "A."

I am a Physician and have been in regular practice for many years. I know John Smith referred to in the Bill of Complaint proposed to be filed by Christian Smith & Anna M. Smith, now shown to me. He has been under my charge, as physician to Mount Airy Hospital, for about eight years, during all which time he has been an inmate of said Hospital - He is of unsound mind & is incompetent to take care of his person and estate.

J. Emmott M. D.

Sworn and subscribed to before me this 18th day of Sept. 1880.

Filed Sept. 18, 1880.

Thomas Turner J. P.

Exhibit "B"

This deed, made this first day of April, in the year Eighteen hundred and fifty seven, by John Miller of M., and his wife Susannah Miller, of Frederick County in the State of Maryland, Witnesses, that in consideration of six hundred and fifty dollars, the said John Miller of M. and wife Susannah, doth grant unto Ellen Smith of said County and State, all that Lot of Ground, situate lying and being in "Cross