

No. 4919 Equity

as well as your Complainants who are infants under the age of Twenty one years and who are entitled to the lands and premises in these proceedings mentioned in recision that the same be sold under a decree of your Honorable Court, and the proceeds of sale invested by the said Trustees for the uses and purposes of the trust. That the said Martha E Fort one of the tenants for life has no children and that at the present time, your Complainants the infant children of Fanny Ripley are the only devisees in recision under the provisions of said will in use.

To the end therefore that the defendants hereinafter mentioned may answer the matters and things stated in the foregoing Bill of Complaint the same as if they had been herein again repeated and they were thereunto specially interrogated and that the lot of ground in the City of Frederick described in these proceedings may be sold and the money invested by Charles J Lewis & Cyrus A Fort the Trustees as aforesaid for the uses and purposes of the Trust created by the will of said William H Ramsburg dec. and that your Complainants may have such other and further relief as the nature and Equity of their case may require.

May it please your Honors to grant unto your Complainants an order of publication giving notice to Theodore N Ripley and Fanny Ripley his wife who are non-residents of the State of Maryland as before stated of the substance and object of this Bill and warning them to appear in this Court in person or by solicitor or on or before some day to be therein named to answer the premises and shew Cause if any they have why a decree ought not to pass as prayed, And also that a Commission may be issued to such persons as your Honors shall deem right, who reside near the said Ruth P Ripley William R Ripley Susan R Ripley and Gilbert King Ripley the infants entitled to the recision in the lands mentioned in this Cause authorizing them or either of them to appoint a guardian to answer for such infants and take the answer of such infants by their said guardian and return the same to your Honorable Court. And also the writ of Subpoena against the said Martha E Fort and Cyrus A Fort her husband and Charles J Lewis and Cyrus A Fort Trustees all of Frederick County Maryland commanding them to appear in this Court on some certain day to be named therein to answer the premises and abide by and perform such decree as may be passed therein. And as in duty bound.

Charles W Ross

Sol for Complainants

The prayer of the Bill of Complaint having prayed that a Commission issue to some persons residing near the infant defendants to appoint a guardian to answer for said non-resident infant defendants

It is thereupon this 31<sup>st</sup> day of August, 1853 by the Circuit Court for Frederick County sitting as a Court of Equity ordered that a Commission issue out of this Court directed to F A Ripley and J L Nicodemus of Martinsburg Blaw County Pennsylvania authorizing them or either of them to appoint a guardian to answer for the infant defendants in this cause and to take the answer of such infants by their said guardian, And it is further ordered that the authentication of the Executor of this Commission shall be similar to the authentication of Commissions issued in Equity proceedings to take the answer of infant defendants who have been regularly served with process.

Jno Ritchie

Chief Judge

Filed August 29. 1853.

J. William H Ramsburg of Frederick County State of Maryland, do make ordain and publish this my last will and testament as follows:  
After my just debts and funeral expenses are paid I give devise and bequeath as follows: