

No. 5322 Equity

George E. Shipley and Emily C. Shipley, his wife, John D. Addison, and Martha C. Addison, his wife, Thomas A. Smith, and Ariana Smith, Ramsey W. Smith, Borden C. Smith, and Mary W. M. Smith, Infants, by Thomas A. Smith, their next friend, Plaintiffs,

vs
 Coriella Smith, Nettie Smith, Charles H. Smith, Thomas Smith, Arianna Smith, Borden C. Smith, Ramsey W. Smith, Mary W. M. Smith, Walter A. England, Nathan J. England, Mattie E. England, Charles E. England, Amosque England, John W. England, and James McShury Trustee - - - Defendants

No. 5322 Equity
 In the Circuit Court
 for
 Frederick County
 sitting

as a Court of Equity
 July Term 1887 - - -

To the Honorable, the Judges of said Court: -

Your Orators, and Petitioners complaining say: -

Bill of Complaint

1. That on the fifteenth day of September in the year eighteen hundred and seventy-seven a certain Eleanor Hendry conveyed to A. Rebecca Smith, Mary E. England, Martha C. Addison and Emily Shipley several parcels of land lying and being in said Frederick County, and containing in the aggregate about seven hundred acres of land, by a deed which was duly recorded, amongst the Land Records of said County, as will fully appear by reference to a certified copy of said deed herewith filed, and which as well as all other exhibits hereinafter exhibited it is prayed may be taken as part of this Bill of Complaint as fully as if herein set forth in words and figures, set forth, and which said copy of said deed is marked Exhibit No. 1.
2. That in and by said deed, a life estate was reserved to the said grantor in the said real estate, which said life estate now ceased by the death of the said Eleanor Hendry: -
3. That the said A. Rebecca Smith, one of the said grantees in said deed has also died, and that she left surviving her a husband, the said Thomas A. Smith, and the following children, viz. Coriella Smith, who is of full age, Nettie Smith, who is of full age, Arianna Smith, Borden C. Smith, Ramsey W. Smith, Mary W. M. Smith, all of whom are infants under the age of Twenty-one years;
4. That Mary Ellen England, one of the said grantees in said deed, has also died since the death of the said grantor, and that she left surviving her the following children, viz. Walter A. England, who is of full age, Nathan J. England, who is of full age, Mattie E. England, Charles E. England, Amosque England, John W. England, John H. England, all of whom are infants under the age of twenty-one years -
5. That since the death of the said Mary Ellen England, a decree has been passed in this Court for the sale of the Real Estate which said Mary Ellen England died seized and possessed of as will appear by reference to the proceedings in Equity Cause No. 4983 on the Equity Docket of this Court, and that James McShury was appointed Trustee to make said sale.
6. That said real estate described in said Exhibit No. 1 is now owned by the said Martha C. Addison, Emily C. Shipley and the said husband and

Exhibit