

No 5480 Equity.

William D. Bowlus, and Matter
Mc Bowlus his Wife, Plaintiffs.

- vs -

William Kimmel, and Minnie
 M. Kimmel, his wife, Franklin
 Wade, and Isabella C. Wade his
 wife, Amos W. Whip Florence,
 Whip, and John P. Whip, Defendants.

No. 5480 Equity.

In the Circuit Court
 for Frederick County,

sitting

as a Court of Equity.

To the Honorable the Judges of said Court: - Your Oration
 and Oration Complaining say:

Bill of Complaint

1st That Peter Arnold late of Frederick County, died sometime
 in the Year Eighteen Hundred, and Eighty Two, after having
 duly executed his last will and testament, which was duly admitted
 to probate by the Orphans Court for Frederick County, and whereby
 he did, devise to his daughter Emily Whip, a certain farm situated
 in Frederick County he had previously purchased from One Charles
 M^r: Elfresh, for and during the natural Life of said Emily Whip,
 and after death then to her children in fee simple as will
 fully appear by a certified Copy of that portion of said will
 making said devise, which is filed herewith marked Exhibit No. 1.
 and which with all other Exhibits herewith filed is prayed to be
 taken as part of this Bill of Complaint as fully as if here
 inserted in words and figures -

2 That said Real Estate so devised to said Emily for life is the
 same described in the deed from said Charles M^r: Elfresh and wife
 a certified copy of which is filed herewith marked Exhibit No. 2 -

3. That said Emily Whip, died on or about the 25 day of August A.D
 1888, and by the terms of said Will said Real Estate then vested
 in her children, who are: 1 - Minnie M^r: Kimmel, a daughter, and
 now the wife, of William Kimmel - 2. The Plaintiff Matter M.
 Bowlus, a daughter. 3 - Isabella C. Wade, a daughter, and now
 the wife of Franklin Wade. 4. Amos W. Whip, a son - 5 - Florence
 Whip, a daughter, - 6 John P. Whip, a son. -

4 - That said Minnie M^r: Kimmel, and William Kimmel, her
 husband, and Florence Whip, live in the State of Pennsylvania and
 said Isabella C. Wade, and Franklin Wade, her husband, live in the
 State of Indiana, while the rest of said parties live in Frederick County.

5. That all of said parties are adults, with the exception of Isabella
 C. Wade, Amos W. Whip, Florence Whip, and John P. Whip, all of
 whom are infants under the age of twenty one Years.

6 - That said real estate is not susceptible of advantageous division
 among said parties in interest, the children of said Emily Whip,
 dead and cannot be so divided without injury and loss, and it
 would be to the Interest and Advantage of all of said parties,
 infants as well as adults, for said Real Estate to be sold by
 a Trustee to be appointed by Your Honorable Court, and the
 proceeds divided among them. And the Plaintiffs pray for the
 following relief: - 1st That said Real Estate may be sold by a
 Trustee to be appointed by Your Honorable Court for that purpose