No. 6556. Equity.

John M. Hood and Mary A. Hood Infants, by Hammond Urner, their Guardian.

vs.

Emma R. Hood, Effie Murphy and Thomas Murphy, her husband, and Daisy L. Hood, and John M. Hood and Mary A. Hood.

No. 6556. Equity.

In the Circuit Court for Frederick County, in Equity.

To the Honorable, the Judges of said Court:-

Your Orators Complaining say:-

1. That a certain Leah M. Hood, late of Frederick County, departed this life intestate about seven years ago seized and possessed of Certain real Estate in said County which is particularly described in a deed for the same from George W. Hilton and wife to the said Leah M. Hood dated the 10th day of October 1881 and recorded in Liber A.F. No. 4. folio 343, one of the Land Records of said County, as the first tract or parcel of land mentioned in said deed, a Certified Copy whereof is hereunto filed marked "Exhibit A." and which, with all other exhibits hereunto filed, is prayed to be taken and considered as part hereof.

2. That the said Leah M. Hood left surviving her a husband, Gassoway Hood, and the following Children as her only heirs at law:- a daughter, Emma R. Hood, a daughter, Effie Murphy, who is married to Thomas Murphy, a daughter, Daisy L. Hood, a son, John M. Hood and a son, Mary A. Hood, all of whom are residents of Frederick County, and all of whom are adults except the said John M. Hood and Mary A. Hood, who are infants under the age of twenty-one years.

3. That upon the death of the said Leah M. Hood the aforesaid real estate descended to and vested in the said Children and heirs at law or tenants in Common, subject to the life estate therein of the said Gassoway Hood, as said surviving husband.

4. That the said Gassoway Hood has recently died and the said Children and heirs at law of the said Leah M. Hood are now the fee simple owners as tenants in Common of the aforesaid real estate.

5. That the said real Estate is not susceptible of division among the said parties in interest without great loss and injury, and it is to the benefit and advantage of all of said parties, and especially said infants, to have said real Estate sold under a decree of a Court of Equity and the proceeds distributed among the parties in accordance with their respective interests.

Your Orators, therefore, pray for the following relief:-

1. That a decree may be passed by your Honorable Court for the sale of the aforesaid real Estate and the distribution of