No. 7128 Equity.

Bill of Complaint.

the Deed from George Staley to Jacob Aubert dated March 7th in the year 1827, and recorded in Liber J. B. No. 7. folios 161 etc, one of the land Records of Frederick County, Maryland, a duly certified copy of which said Deed is filed herewith as a part hereof, and marked "Exhibit B" and also being seized and possessed of a lot of land containing one acre and seventeen square perches as described in the deed from Francis T. Lakin and wife to Alfred H. Aubert dated February 23rd, in the year 1886, and recorded in Liber H.S.P. No. 1, folio 150 etc, one of the Land Records of Frederick County, Maryland, a duly certified copy of which said Deed is herewith filed as a part hereof, and marked "Exhibit C."

3.

That said Alfred H. Aubert died intestate.

4.

That the said James B. Aubert, Anna Kate Aubert and Mary L. McDaniel, did on the date November 17th, in the year 1890, convey unto the said Henrietta Aubert, widow of the said Alfred H. Aubert a life estate in and to said real estate by a deed recorded in Liber H.S.P. No. 11, folios 607 etc one of the Land Records of Frederick County, Maryland.

5.

That the said Henrietta Aubert died on the date April 16th in the year 1901.

6.

That the said James B. Aubert, died in the year 1889, intestate, and leaving surviving him, a widow, the said Sarah A. R. Aubert, and a son the said Frederick B. Aubert, who is at this time yet an infant of about the age of 11 years.

7.

That the said Mary Lizzie McDaniel died in the year 1893, intestate, and leaving surviving her, a husband, Abraham S. McDaniel who died in the year 1898 and two sons Walter H. McDaniel, and Abraham S. McDaniel and two daughters, Henrietta S. McDaniel, and Lillian May McDaniel, all of said children now being infants, under the age of 21 years.

8.

That the real estate described in the said Exhibits herewith filed is not susceptible of division among your Orators and the defendant herein, who are seized and possessed of the same, without great loss and danger.

9.

That it would be to the interest and advantage of your Orators and all the defendants herein, and interested in said real estate, that the same would be sold by a trustee to be appointed by your Honorable Court and the nett proceeds divided among those entitled thereto.

Wherefore your Orators pray your Honors for the following relief—

1.

That your Honors will pass the Decree of your Honorable Court that the real estate in these proceedings be sold by a suitable person to be appointed by your Honorable Court as the Trustee to carry out the decree of the Court.

Bill of Co

"Exhibit