

NO. 8689 EQUITY.

Lizzie S. Shipp, an infant, by William
C. Shipp, her husband and next friend, and
William S. Shipp, husband of Lizzie S. Shipp,
an Infant.

No. 8689. In the Circuit
Court for Frederick County

Vs.

Sitting as a Court of Equity.

William F. Leibold, Joseph E. Leibold, an
infant, Charles W. Leibold, an infant &
Lizzie S. Shipp, an infant, wife of William
C. Shipp, an adult.

To the Honorable, the Judges of said Court--

The Bill of Complaint of Lizzie S. Shipp, an infant, by William C. Shipp, her husband and next friend, and William C. Shipp, husband of Lizzie S. Shipp, an infant, respectfully shows unto your Honors--

1st. That Susan S. Leibold, (formerly Susan S. Beard) late of Washington County, Maryland, deceased, was in her lifetime seized and possessed of an undivided one-half interest in certain real estate situate and lying in the North western part of Frederick County, Maryland, which the said Susan S. Leibold, (formerly Susan S. Beard) acquired during her lifetime by two distinct and separate deeds from Samuel C. Pryor and wife to George A. Beard and Susan S. Beard, dated the 20th day of December A. D. 1892, the same being duly recorded in liber J. L. J. No. 3 folio 675 &c., one of the land records for Frederick County, Maryland, and by deed from Mahlon K. Wolf and wife to George A. Beard and Susan S. Beard, dated the 24th day of March A. D. 1893, and recorded in liber J. L. J. No. 3, folio 673 &c., one of the land records of Frederick County, Maryland, certified copies of said deeds being herewith marked Exhibits A. and B. which together with all other exhibits are prayed to be taken and considered as a part hereof, by Your Honorable Court.

2nd. That being so seized and possessed of the said undivided one-half interest in the above described property, the said Susan S. Leibold, (formerly Susan S. Beard) departed this life intestate, on or about the 22nd day of April, 1900, leaving the following heirs at law and legal representatives to whom said real estate descended, to wit--

(A) William F. Leibold, husband of the said Susan S. Leibold, deceased, who is an adult and whose legal residence to Your Complainant is unknown, but who is a non-resident of the State of Maryland.

(B) Your oratrix and orator Lizzie S. Shipp, a daughter of Susan S. Leibold, who intermarried with Your Orator William C. Shipp, the former being an infant 20 years of age, and the latter being an adult, both of whom reside in Washington County, Maryland.

(C) Joseph E. Leibold, a son of the said Susan S. Leibold, who is an infant under the age of twenty one years, and who resides in Frederick County Maryland.

(D) Charles W. Leibold, a son of the said Susan S. Leibold, an infant under the age of twenty-one years and resides in the city of Baltimore, State of Maryland.

3rd. That the said George A. Beard who held an undivided one half interest with the said Susan S. Leibold, (Now deceased) in the property hereinbefore described conveyed all of his said undivided one-half interest to your oratrix, Lizzie S. Shipp, by deed dated the 20th day of January, 1911, said deed being recorded among the land records for Frederick County, Maryland, a certified copy of said deed being herewith filed marked Exhibit C.

4th. That it would be for the benefit and advantage of the said infants to sell the real estate and to invest the proceeds thereof in some productive fund for their benefit.

5th. That the said real estate mentioned and described in Exhibits A. B. & C. is not susceptible