

No. 10507 E Q U I T Y.

BILL OF COMPLAINT.

Leonard Burke and Annie Laura Burke, his wife; Edward Burke, unmarried; Hattie Fuss and Murray O. Fuss, her husband; Eva Crum and Albert Crum, her husband; Evelyn Lugenbeel and Roy Lugenbeel, her husband; Frances Cleary and George Cleary, her husband;

Vs.

Archie Burke, Howard Burke, and Ida Carroll, Infants

No. 10507 E Q U I T Y.

In the Circuit Court

for Frederick County.

Sitting as a Court

Of

E Q U I T Y.

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To the Honorable, The Judges of Said Court;-

The Bill of Complaint of Leonard Burke and Annie Laura Burke, his wife; Edward Burke, unmarried; Hattie Fuss and Murray O. Fuss, her husband; Eva Crum and Albert Crum, her husband, Evelyn Lugenbeel and Roy Lugenbeel, her husband; Frances Cleary and George Cleary, her husband, respectfully shows unto your Honors;-

1. That Franklin G. Burke, late of Frederick County, deceased, was in his lifetime and at the time of his death seized and possessed of a tract or parcel of land situate, lying and being near Monrovia, in Frederick County, State of Maryland, and more particularly described in a deed from Aaren R. Anders, Trustee, bearing date the 8th day of November, A.D. 1920, and recorded in Liber 333, folio 365, one of the Land Records of Frederick County, as by reference thereto will more fully and at large appear, a certified copy of which said deed is filed herewith marked Exhibit "A" and which it is prayed may be taken and considered as a part hereof as fully and to the same extent as if incorporated herein.
2. That being seized and possessed as aforesaid, the said Franklin G. Burke departed this life on or about the 16th day of January, 1922; leaving surviving him no widow, but the following children and heirs at law, to wit; Leonard Burke, a son, whose wife's name is Annie Laura Burke, and who resides at Monrovia, Frederick County, Maryland; Edward Burke, a son, who is unmarried and who lives in Frederick, Maryland; Hattie Fuss, a daughter, who intermarried with one Murray O. Fuss, and who line in Gettysburg Pennsylvania; Efa Crum, a daughter, who intermarried with one Albert Crum, and who line at New Market, in Frederick County, Maryland; Evelyn Lugenbeel, a daughter, who intermarried with one Roy Lagnebeel, and who resides at Barthlows, in Frederick County, Maryland; Frances Cleary, a daughter, who intermarried with one George Cleary, and who resides at 1628 Belt Street, Baltimore, Maryland; Archie Burke, an infant son, who resides with the said Leonard Burke and Annie Laura Burke, his wife, at Monrovia; Howard Burke, an infant son, who resides with the said Evelyn Lugenbeel at Barthlows, Maryland; and Ida Carroll, the infant daughter of Nellie N. Carroll, deceased daughter of the said Franklin G. Burke, who intermarried with Oliver Carroll, said infant now residing with her father the said Oliver Carroll, at 40 East Barney Street, Baltimore, Maryland.
3. That the property herein mentioned and described is not susceptible of division among the parties thereunto entitled without loss and injury, and that it would be to the great benefit and advantage of all the parties concerned, and especially the infant defendants, that the said property be sold forthwith and the proceeds distributed among the parties thereunto entitled under the direction and supervision of your Honorable Court.

TO THE END, THEREFORE, ---

(1) That the property mentioned in this Bill of Complaint may be sold by a Trustee to be appointed by your Honorable Court and the proceeds thereof distributed among the parties entitled thereto under the direction and supervisions of your Honorable Court.

(2) And for such other and further relief as the nature and equity of their case may require.

May it please your Honors to grant unto your complainants the Writ of Subpoena in the usual form against the said Archie Burke and Howard Burke, infants, who live at Monrovia and Barthlows, Md.,