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BILL OF COMPLAINT

IN THE CIRCUIT COURT FOR FREDERICK COUNTY.

IN EQUITY

MARTHA J. STOTTLEMYER D. FRANKLIN STOTTLEMYER, AND MYRTLE STOTTLEMYER, his wife, LAURA L. STOTTLEMYER, CLARENCE B. STOTTLEMYER, AND NETTIE E. STOTTLEMYER, his wife, CARRIE E. WEBB and LLOYD WEBB, her husband vs. G. WILBUR STOTTLEMYER, infant.	" " " " " " " " " " " "	No. 12026 Equity

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Bill of complaint of Martha J. Stottlemyer, D. Frank Stottlemyer, Myrtle Stottlemyer Laura L. Stottlemyer, Clarence B. Stottlemyer, Nettie E. Stottlemyer, Carrie E. Webb and Lloyd Webb, respectfully represent:

1. That a certain George F. Stottlemyer, late of Frederick County, Maryland, deceased, departed this life, intestate, on or about the year 1918, leaving surviving him, his widow, Phoebe A. Stottlemyer, and six children.

2. That on the 14th day of November, 1929, the said Phoebe A. Stottlemyer, departed this life, in-testate, leaving surviving her, as her only heirs at law, the following named children:

Martha J. Stottlemyer, an unmarried adult daughter.

D. Franklin Stottlemyer, an adult son, whose wife's name is Myrtle Stottlemyer.

Laura L. Stottlemyer, an unmarried adult daughter.

Clarance B. Stottlemyer, an adult son, whose wife's name is Nettie E. Stottlemyer.

Carrie E. Webb, an adult daughter, whose husband's name is Lloyd Webb, and

G. Wilbur Stottlemyer, an infant son, aged about eighteen years, and a resident of said Frederick County, Maryland.

3. That at the time of her death, the said Phoebe A. Stottlemyer, was seized and possessed of a farm containing eighty-eight acres of land, more or less, located in Creagerstown District, in said Frederick County, along the Monocacy River, at the mouth of Hunting Creek, about one-half mile East of the State Road leading from Utica to Creagerstown, and being the same real estate which was conveyed to the said George F. Stottlemyer and Phoebe A. Stottlemyer his wife, by deed from Mary Martha Whitmore and others, dated March 31, 1890, and recorded in Liber W. I. P. No. 11 at folio 238, one of the Land records for said Frederick County, Maryland, excepting a tract containing nine acres more or less heretofore conveyed to Calvin Whitmore and a tract of five acres, more or less heretofore conveyed to Clarence E. Long. and your complainant herewith files a certified copy of said deed to said George F. and Phoebe A. Stottlemyer, as part of this bill of complaint, marked "Exhibit A".

4. That said real estate consists of a tract of land used as a farm and a set of farm buildings, and can not be divided amongst the parties now owning said real estate, as tenants in common, without loss or injury to the parties interested therein.

To the end therefore,

(1) That a decree pay be passed for the sale of said real estate by a trustee or trustees to be named in said decree, and the proceeds arising from said sale may be divided amongst the parties according to their respective interest.

(2) That your complainants may have such other and further relief as may be requisite.

And may it please your Honors to grant unto your complainants the writ of sub poena directed to said infant defendant G. Wilbur Stottlemyer, residing near Creagerstown, in said Frederick County, in the usual form.

H.K.DeLauter
Solicitor for Complainants.

(Filed March 7, 1930)