

= as a Court of Equity held at the Court House in Fredericktown in and for the County aforesaid on the 16th day of November 1863.

Present The Hon. Madison Nelson Circuit Judge
Michael Finneeman Esq. Sheriff and
Benjamin G. Fitzhugh Clerk

Among other were the following proceedings to wit

Elizabeth Farguhar vs Susanna M. Charles W. Farguhar and others
1863 came the said Elizabeth Farguhar in Court here sitting by Grayson Eichelberger Solicitor and filed in Court here the following Bill and Exhibits.

Bill

To the Honorable Madison Nelson Judge of the Circuit Court for Frederick County sitting as a Court of Equity.

The bill of complaint of Elizabeth Farguhar of said County respectfully sheweth unto your Honor that a certain John Farguhar, in his lifetime, made and executed his last will and testament in due form of law to pass real estate and some time in the month of July in the year 1861 departed this life without having in any manner revoked the same, which said last will and testament was duly admitted to probate by the Orphan's Court of Frederick County and letters testamentary thereon granted to your Oratrix, the Executrix therein named, that the said testator, in and by his said last will and testament, did amongst other things devise and bequeath as follows "Item second. It is my will and direction that after my funeral expenses and just debts are paid, the balance of my estate, both real and personal, go to my wife Elizabeth Farguhar during her life and after her death, I direct that it be equally divided between my two brother's children then living viz, Susannah M. Farguhar, Charles W. Farguhar, Anna E. Farguhar, Granville S. Farguhar, Floodwards Farguhar and Ella Farguhar" all of which will fully appear by said letters testamentary, which with a true and certified copy of said last will and testament are filed herewith as Exhibit No. 1, which with all other Exhibits your Oratrix prays may be taken as a part of this her bill of complaint as if here inserted in words and figures. Your Oratrix further states to your Honor that said John Farguhar died seized & possessed of the two following tracts of land, viz; of one tract of five acres, one rood and 2 perches of land, specifically described in a deed from Caleb Ogburn to John Farguhar, a true and certified copy whereof is filed herewith as Exhibit No. 2, and also of another tract of land of twenty three acres more or less, specifically described in a deed from Daniel Plain to John Farguhar, a true and certified copy whereof is filed herewith as Exhibit No. 3. Your Oratrix further states that she is the widow of said John Farguhar named in said last will and testament and she is advised and charges that, under and by the provisions of said last will and testament, she is entitled to said real estate during her natural life and that the fee of said real estate has vested, subject to said life estate of your Oratrix, in said Susannah M. Charles, W. Anna E., Granville S., Floodwards and Ella Farguhar who are all infants under twenty one years of age, that said tracts of land are small and will barely, if they do, yield your Oratrix a scanty support, insufficient to keep the buildings in repair or the lands in good order and that said lands must become impoverished and said buildings decay and go down to the great injury of your