the month of November 1872 seized and possessed of the Real Estate hereinafter described, & the Complainants John P and Harriet Gallion were appointed by the Orphans Court of Frederick County Administrators of the Personal Estate of said Robert H Phelps, that the Administrators have settled their first account with the Orphans Court and it now clearly appears that said Personal Estate is insolvent and insufficient to pay the debts of said Robert H Phelps and that it will be necessary to sell his Real Estate to pay his debts that said Administrators have thus far overpaid said Personal Estate to the amount of One hundred and thirty five dollars and 97/100 and are advised they are entitled to have said Real Estate sold to pay said debts, that said Robert H Phelps died seized and possessed of the following Real Estate Viz: One tract of Land containing 2 Acres and 4 Perches more or less situated in New Market District and described in a Deed of Mortgage from George Phelps to said Robert H Phelps dated December 5. 1834 a copy of which is filed as Exhibit No. 3, and also an undivided One fifth interest in and to all that Lot of ground in Plummers part of New Market in said County described in a deed from George Phelps to Elizabeth Phelps Deborah Phelps, Harriet Phelps Corilla Phelps and Rachel Phelps dated the 19th day of March 1835 a copy of which is filed with the bill as Exhibit No. 4 that all said Grantees mentioned in said last mentioned deed with the exception of Harriet Phelps now the Complainant Harriet Gallion died before said Robert H Phelps who was a brother of said Grantees intestate unmarried and without any lineal heirs, and the shares of said Elizabeth, Deborah, Corilla and Rachel Phelps descended by inheritance to their said brother Robert H Phelps and their sisters Harriet Gallion, Ann Simpson and Almeda Snyder that said Ann Simpson and Almeda Snyder have also since died intestate leaving the following children who are also neices and nephews and heirs at Law of said Robert H Phelps Viz: 1st George Simpson a son of Ann who is an Adult living in the State of Illinois and married to Simpson, his said wife first name being unknown.

2nd. Elizabeth a daughter of said Ann an adult living in Montgomery County Maryland now intermarried with Marine Duvall.

3rd James T Simpson a son of said Ann living beyond the limits of the State of Maryland, but whose exact place of residence is unknown, and whose also an Adult.

4th. John Simpson a son of said Ann an Adult living in Illinois and married to Simpson, his said wife first name being unknown to the Complainants

5th The Complainant Olivia J Lease wife of Thomas H Lease and a daughter of said Almeda.

6th Sarah M Landis a daughter of said Almeda who is an Adult intermarried with Isaac A Landis and residing in the State of Ohio.

7th Annie E Snyder a daughter of said Almeda an Adult living in Frederick County.

8th Oliver P Snyder a son of Almeda who has since died after having made and executed his last Will and Testament which has been duly admitted to Probate by the Orphans Court of Frederick County and whereby he devised all his estate to his wife Annie Mary Snyder during her life and after her death to his daughter Almeda Snyder and any other child or children thereafter born and that said Oliver P Snyder has now surviving him, his widow Annie Mary Snyder and Almeda and Oliver Snyder who are his only and infant children and all of whom live in Frederick County, that at the time of the death of said Robert H Phelps said last mentioned Lot of ground described in Exhibit 4 was owned in the following proportions Viz: The Complainant Harriet Gallion was the owner of the undivided two fifths said Robert H Phelps was the owner an undivided one fifth, the said children and heirs at