No. 5857 Equity

cause is to obtain a decree for the sale of the real Estate of which Richard Rigely died seized and possessed, and it states as follows.

1st That in April 1863 the said Richard Rigely of Frederick County Maryland, died intestate seized of a small parcel of real Estate in Frederick County, Md which real Estate is fully described in a deed to the said Richard Rigely a Certified Copy of which deed is filed with said Bill as Exhibit No 1 to said Bill

2nd That the said Richard Rigely left surviving him the following named heirs at law Viz.

A son Frank Rigely whose wife's name is Mary Rigely, residents of

A daughter, Annie Davis whose husbands name is William Davis

A daughter, Anianna Hill.

A son John Rigely whose wifes name is Julia Rigely.

A daughter, Jane R Millbery whose husbands name is Charles Millbery

A son Richard D. Rigely.

The following Grand Children by a deceased daughter Thomas Jenkins Henry Brown and Margaret Brown, all of whom are adults except the Browns who are infants under twenty one years of age.

3rd That on the death of the said Richard Rigely said real estate descended to and vested in said heirs at law as tenants in Common and they are now seized and possessed of the same as tenants in Common.

4th That the said Richard D. Rigely when last heard of about five years ago resided in Pittsburg in the State of Pennsylvania. but his present whereabouts and if dead, his legal representatives and heirs at law or their residences are ignorant of beyond this that they do not reside in the State of Maryland, and the said John Rigely and Julia Rigely his wife reside in the State of Pennsylvania and do not reside in the State of Maryland.

5th That the said Thomas Jenkins when last heard of about five years ago lived in the State of Pennsylvania. but his present whereabouts and if dead, his legal representatives and heirs at law, or their residences the plaintiffs the plaintiffs are ignorant of beyond this, that they know that they do not reside in the State of Maryland.

6th That said real Estate is not susceptible of division among said heirs at law without great loss and damages and that it would be to their interest and advantage of all said parties and especially the infants to have the same sold and the proceeds divided among them. The Bill then prays for the following relief,

1st That a decree may be passed for the sale of said real Estate described in Exhibit No 1, and for a division of the proceeds among said heirs at law,

2nd For Subpoenas against the resident defendants and an order of Publication against the said John Rigely and Julia Rigely his wife Richard D. Rigely or his unknown heirs at law and legal representatives if he be dead and Thomas Jenkins or his unknown legal representatives and heirs at law. if he be dead warning them of the object of this suit and the substance of this bill. and Commanding them

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