No. 5960. Equity.

1st. That a Certain Sophia Elligan, late of Frederick County deceased was in her lifetime seized and possessed of a parcel or lot of ground situate on the South side of East Fourth Street in Frederick City, Maryland, being the North half of Lot No 136 on the plat of said town and being the same lot of ground, situate on the South side of East Fourth Street in Frederick City Maryland, being the North half of Lot No. 136, on the plat of said town, and being the same lot of ground heretofore Conveyed to Winchester Elligan by William C. Martin and wife by deed dated November 5th 1861, and which said lot was devised to the said Sophia Elligan by the last will of Winchester Elligan dated on the Twenty ninth day of May in the year Eighteen hundred and seventy two. Certified Copies of which said deed and will are herewith exhibited, marked Exhibits A and B. and which together with all other exhibits hereinafter processed are prayed to be taken and considered as part of this their Bill of Complaint.

2d That the said Sophia Elligan who was the widow of the said Winchester Elligan and who was seized of the lot of ground hereinbefore mentioned died intestate in or about the first part of the month of June in the year 1877. leaving two children her surviving namely David Elligan and Hester Elligan the wife of Thomas Elligan, her only heirs at law, to whom the lot or parcel of ground descended on the death of the said Sophia Elligan.

3d That the said David Elligan executed a power of attorney to Lewis S. Elligan of Frederick, authorizing and empowering him to sell and convey his interest in said lot, and the said Lewis S. Elligan, Attorney aforesaid by deed dated April 2d A.D. 1890. Conveyed the interest of the said David Elligan in said lot, being an undivided moiety thereof, to Hester Elligan, so that the said Hester was seized and possessed of the entire title to said lot, all of which will appear by reference to the Certified Copies of said power of attorney and the deed aforesaid herewith filed and marked Exhibits C and D.

4th That the said Hester Elligan, being so seized and possessed, died on or about the Eighth day of November in the year 1890. leaving surviving her Thomas Elligan her husband, and Minnie K. Elligan, S. Rebecca Elligan, C. Irene Elligan, Nora V. B. Elligan and David M. Elligan her children, to whom the said lot of ground descended as her heirs at law, subject to the life estate of her surviving husband, and who are seized of said lot as tenants in Common.

5th That the said Thomas Elligan the tenant for life is desirous and willing that the said lot of ground should be sold free, clear and discharged of his interest therein.

6th That your Complainants, who are the Children of the said Hester Elligan are of full age and reside in the State of Pennsylvania with their father Thomas Elligan, and that