

No. 5722 Equity.

2d, That the said Isaac Allbaugh left surviving him a widow one of the plaintiffs, now named Catharine P. Gough, who subsequent to her said husband's death married Jonathan Gough, who is also now dead, and the following named children as his heirs at law, to wit, the plaintiff Mary Gough, a daughter whose husband's name is Joseph Gough, the plaintiff Frank Allbaugh, whose wife's name is Margaret Allbaugh, who is a son of the deceased, and another son named Morris J. Allbaugh whose wife's name is Catharine Allbaugh, who are the defendants in this Cause, and all of whom are adults over twenty one years of age; that the said defendants reside in Frederick County, Maryland.

3d That the said Isaac A. Allbaugh left a last will and testament by which he devised all of said real estate described in Exhibits 1, 2 & 3 to his said wife Catharine P. now Catharine P. Gough, for and during her natural life, and after her death to be sold and the proceeds divided among his above mentioned children, and that the plaintiff Catharine P. Gough is the Executor of said will, a Copy of which will as probated by the orphans Court of Frederick County and one concealed in the office of the Register of wills of said County is filed herewith marked Exhibit No 4.

4th The Plaintiff further represents and charges that the said Catharine P. Gough is growing being now years old; that said lots are practically of little value to her now, affording no income to her but being rather an expense to keep in fencing and that they are valuable for building purposes and convenient for that purpose, that there is every probability that there could be a good price obtained for them for such purposes if sold now, and that such an opportunity will present itself, because of a boom in real Estate at Mechanicton and the proceeds of which sale by being properly loaned out or invested will afford her considerable revenue and that it is to the interest and advantage of all of said parties to have the same sold and the proceeds invested under the direction of your Honorable Court as prescribed in the Code of Public General Laws of Maryland.

5th That all of said parties are anxious that a decree be passed for the sale of said real Estate and the proceeds invested for the benefit of the said Catharine P. Gough during her life.

And the plaintiff prays for the following relief:

1st That a decree may be passed by your Honorable Court decreeing and ordering that said real Estate described in Exhibits 1, 2 & 3 be sold, and the proceeds arising therefrom be invested under the direction of your Honorable Court during the life of the said Catharine P. Gough for her benefit.

2d That the writ of subpoena be issued directed to the said Morris J. Allbaugh and Catharine Allbaugh his wife commanding them and each of them to be and appear in your Honorable Court on some certain day to be named therein to answer the premises and abide by and perform such decree as may be passed therein, and also for such other and further relief as their Case may require.

And as in duty bound &c

Filed August 28<sup>th</sup> 1870.

John C. Motter  
Sol for Plt

Exhibit - 1-

Exhibit No. 2