No. 6448 Equity.

is a niece of the said testatrix Ann Elgatt, is now a widow, and resides in the City of Washington, D.C.

5th To my niece Mr. Mr. A. Dorsey, one eighth part."

That the said Mr. Mr. A. Dorsey is Mrs Martha M. A. Dorsey, who is a niece of the said Ann Elgatt, the testatrix, and who resides in Frederick County, Maryland.

6th To my nephew Samuel Elgatt, one Eighth part;"

That the said Samuel Elgatt intermarried with Elizabeth Hilleary, and together with his said wife, resides in Frederick County Maryland.

7th "To the Children of my deceased nephew, Thomas J. Elgatt, one Eighth part."

That the said Thomas J. Elgatt, the nephew of Mrs Ann Elgatt, the testatrix, died many years ago, leaving three children, him surviving namely;

A. Thomas J. Elgatt, who is now married, and the name of whose wife is Mary L. Elgatt.

B. Mary, a daughter, who intermarried with Thomas Ashley,

C. Honore M. Elgatt, who intermarried with Mary Whitt.

All of said Children are adults and all, with their wives and husbands, reside in Frederick County State of Maryland,

8th "To the Children of my deceased niece, Sarah M. Duvall, one Eighth part."

That the said Sarah M. Duvall, the niece of said Ann Elgatt, died many years ago, leaving two Children her surviving namely:-

A. Henry C. Duvall, of the Parish of Morehouse, State of Louisiana.

B. T. Hawkins Duvall, who resides in the County of Butler, State of Kansas.

That both of said Children are adults and unmarried,

The share or portion of the said T. Hawkins Duvall, according to the provisions of the Codicil to the will of the said Ann Elgatt, and of the Codicil to the will of Mrs Laura C. Gray, having been given in trust to his brother Henry C. Duvall.

All of which devises and bequests hereinbefore enumerated will appear by reference to a Certified Copy of the will and Codicil of the said Ann Elgatt, hereunto exhibited, marked Exhibit No. 1.

5th That under the provisions of the will of the said Ann Elgatt your Orators and the defendants to this Cause are seized and possessed as tenants in Common in unequal proportions of the lands and premises devised by the said Ann Elgatt, which said lands and premises are hereinbefore more specifically enumerated, and are described in the Exhibits hereunto exhibited

That no provision is Contained in said will of Ann Elgatt or the Codicil thereto, for the sale of the said real estate, and that the same Cannot be divided among the parties thereto, the parties to this Cause, - without loss and injury, and it would be to the interest and advantage of all the parties that the same be sold under a decree of your Honorable Court, and the proceeds of sale be distributed in accordance with the provisions of the will of the said Ann Elgatt.

6th That all the parties of this Cause are adults above the age of twenty one years, and that all the defendants named herein are