No 8481. Equity.

death of the Said William T. Ennis, namely: George B. Thomas, Harriet E. Thomas, Otto B. Thomas, Richard, and Lora L. Thomas.

4. That the Said George B. Thomas is married is married and his wife's name is Ida M. Thomas; the Said Harriet E. Thomas (now Harriet E. Lucas) is married and her husband's name is William Frank Lucas; the Said Otto B. Thomas is married and his wife's name is Bertha V. Thomas; the Said Richard Thomas is a widower; the Said Lora L. Thomas intermarried with one John E. Little and died in or about the year 1900. and left surviving her the Said John E. Little, her husband, who is now living, and a daughter, Elsie I. Little, who is now living, and is an infant under the age of twenty-one years, being now about sixteen years of age.

5. That the Said Mary J. Ennis is the owner of a life estate in Said lands and the Said George B. Thomas, Harriet E. Lucas, Otto B. Thomas, Richard Thomas and Elsie I. Little, infant, are tenants in Common in remainder thereof, each of the Said tenants in Common having an undivided one-fifth interest and estate in the Said remainder, and all of Said parties are adults, except the Said Elsie I. Little who is an infant, as aforesaid

6. That on June 3rd A. D. 1882 the Said William T. Ennis and Mary J. Ennis, his wife, executed a mortgage of Said real estate, and a sealed note secured thereby to George Hovey, for the sum of $500= and the Said Mortgage and note have been duly assigned to the Said Otto B. Thomas, who is the present holder thereof, That there is now a balance due to the Said Otto B. Thomas on the Said Mortgage indebtedness of the sum of $250= and he is willing and Consents that Said real estate be sold under a decree of your Honorable Court free and clear of the lien of Said mortgage on Condition that he receive the Said balance as mortgagee out of the proceeds of such Sale. A Certified Copy of Said Mortgage and the assignments thereof is herewith filed as part hereof. marked Exhibit No. 4.

7. That since the death of the Said William T. Ennis the Said Mary J. Ennis has paid off out of her own funds the Said original mortgage debt to the extent of $250. and she avers that she is entitled to be subrogated to the rights of the holder of Said mortgage as against Said real estate and to have the Said sum of $250= repaid to her out of the proceeds of