

No. 8531. Equities.

Complainants and the following children all of which are now living: Mary S. Hedges a daughter, whose husband's name is Mr. Frank H. Hedges, both of whom are residents of Frederick County as is also said widow Mary Mullinix, and all of said parties adults: a son, Eldridge C. Mullinix whose wife's name is Sney Mullinix, both adults and residents of the City of Pittsburg in the State of Pennsylvania: a daughter, Sybelle A. Wolf whose husband's name is Newton Wolf, both residents of Capitol View, Montgomery County, Maryland: a daughter, Frances E. Mullinix an infant - years of age, and Virginia W. Mullinix, a daughter, also an infant - years of age both of said infants being residents of said Frederick County and the latter two defendants in this Bill of Complaint.

Fifth. That a short while before his death, said Elisha E. Mullinix executed a deed dated March 4th, 1907, a certified copy of which is herewith filed, marked "Exhibit No. 3" as the same is recorded in Liber 278, folios 323 and 324, one of said aforementioned said records, conveying to your complainant and now his widow, Mary Mullinix, a life interest in said real estate therein described with remainder over to his children above named, as tenants in common, all of which will appear by reference to said deed.

Sixth. That the said Mary Mullinix widow is getting old and infirm, and not in very good health, and unable to look after said real estate as it should be cared for because of her condition, and because of the scanty and meagre means of said widow. She is unable to make and keep in repair said property so that it might yield like a reasonable revenue, and what it should yield, and said property in its present condition is badly in need of repairs to the extent of several hundred dollars and rapidly depreciating in value, and therefore it would be to the interest and advantage of all the parties interested therein, especially the two infant complainants, that the same be sold under a decree of your Honorable Court, and the proceeds invested under the orders of your Honorable Court, for the benefit of your said complainant Mary Mullinix for and during her natural life, and at her death, said proceeds to be divided among those who are parties in interest.

To the end therefore that the said real estate may be sold under a decree of your Honorable Court and that the proceeds of said sale, after the payment of the costs and expenses of these proceedings, be invested under the directions of your said Court and distributed for the benefit of said Mary Mullinix for and during her natural life, and after her death to devolve upon and vest in Mary S. Hedges, Eldridge C. Mullinix, Sybelle A. Wolf, Frances E. Mullinix and Virginia W. Mullinix according to the provisions of said deed of said Elisha E. Mullinix, and that the infant defendants as well as the other defendants herein named may answer the premises and that your complainants may have such other, and further relief