NO. 8678 EQUITY.

J. Fenton Thomas Jr., and Catherine Grace Thomas infants by J. Fenton Thomas, their father and next friend; Mary Bertha Nicodemus, Edgar Nicodemus, her husband, and Ada Elizabeth Thomas and John J. Thomas, her husband, Gertrude I. Thomas, Bernard W. Thomas and C. Herbert Thomas, all children and heirs of Adelaide S. Thomas, deceased.

Vs.

Anna Mary Thomas, (Widow of Dr. Jacob D. Thomas) Mary Catherine Thomas (widow) Margaret Ellen Padgett and John C. Padgett, her husband, Flora May Day and Richard R. Day, her husband, and J. Fenton Thomas, jr., and Catherine Grace Thomas, infants, and J. Fenton Thomas, surviving husband of Adelaide S. Thomas.

No. 8678 Equity.

In the Circuit Court for Frederick County sitting as a Court of Equity.

To the Honorable the Judges of the Circuit Court for Frederick County, sitting as a Court of Equity.

The Bill of Complaint of J. Fenton Thomas, Jr., and Catherine Grace Thomas, infants, by J. Fenton Thomas their father and next friend; Mary Bertha Nicodemus and Edgar Nicodemus, her husband; Ada Elizabeth Thomas and John J. Thomas, her husband; Gertrude I. Thomas, Bernard W. Thomas and C. herbert Thomas, late of Frederick County deceased, respectfully represents unto Your Honorable Court--

1. That on the 24th day of March 1876 Jacob H. Kline and wife conveyed unto Mary Thomas wife, of JAcob D. Thomas, for and during her natural life and no longer, and at her death to Adelaide S. Thomas, wife of J. Fenton Thomas, Mary Catherine Thomas, wife of Thomas L. Thomas, Margaret ELlen Thomas and Flora May Thomas, the four children now in being of the said Mary Thomas, and any other children which she may here after have and to their heirs and assigns of said children forever, etc., etc., as is evidenced by a certified copy of said deed filed herewith as a part of this Bill of Complaint, marked Exhibit A., which together with all other exhibits herewith filed it is prayed may be taken and considered as a part of this Bill of Complaint.

2. That on the 21st day of March 1894, Anna Mary Thomas, (called Mary Thomas in Exhibit A) together with Adelaide S.Thomas, Mary Catherine Thomas, Margaret Ellen Padgett, (Margaret ELlen Thomas in Exhibit A) and Flora May Day, (called Flora May Thomas in Exhibit A) attempted by their deed of conveyance bearing date as aforesaid to convey the property and premises mentioned in Exhibit A to a certain Robert E. L. Kanode, for a pretended consideration of Twenty seven Hundred and Fifty Dollars, all of which will fully appear by reference to a certified copy of of said deed filed herewith marked Exhibit B.

3. That the said Robert E. L. kanode, in payment of the property mentioned in Exhibit B, executed a mortgage unto said Anna Mary Thomas for the sum of Twenty-five Hundred dollars, which said mortgage was afterward towit on the 9th day of January 1900 released by the said Anna Mary Thomas, said mortgage bearing date March 21st, 1894 a duly certified copy of the same being filed herewith marked exhibit G.

4. That the said Robert E. L Kanode, by his deed dated October 1899, conveyed the property mentioned in Exhibits A, B and C unto Anna Mary Thomas, the consideration mentioned in said deed being the sum of Twenty Eight Hundred Dollars, all of which will appear by referende to a certified copy of said deed filed herewith and marked exhibit D.

5. That on the 14th day of December 1899, by a deed duly acknowledged, the said Anna Mary Thomas conveyed the property hereinbrfore mentioned, to Flora May Day, a daughter of said Anna Mary Thomas, the consideration therein named being the sum of