

and died without having done so And your petitioners aver that the said Margaret Hanly never paid one cent of the consideration of \$900.00 set forth in said deed.

3rd. -And your Petitioners aver that the fears of the said Michael Lingg regarding his obligations and property and his liability for the debts of another proved groundless, but in the meantime his marriage to Margaret Hanly made a re-conveyance to him unnecessary provided the said Margaret at the termination of her life estate so devised said land that all of his children including your petitioners shared alike in its distribution, which your petitioners aver and charge the said Margaret Hanly is the event of her surviving Michael solemnly agreed to do but never did.

4th.-- And your petitioners aver that Michael Lingg and the said Margaret Hanly were married on February 16th A.D. 1897.

5th.--That the said Michael Lingg departed this life in December 1907 and left surviving him the said Margaret Hanly Lingg, his widow, your petitioners his children by his first wife and the plaintiffs in this cause, children by his second wife.

6th-- That your petitioner George T. Lingg is married and his wife's name is Sophia Lingg--that your Petitioner Felix H. Lingg is married his wife's name being Rosella Lingg--that your petitioner John E. Lingg is married his wife's name being Jane E. Lingg all of whom are residents of Emmitsburg, Maryland-- That your Petitioner Emma Kelly is married her husband's name being James Holly and they live in Altoona, Pennsylvania that your Petitioner Mary R. White is married her husband's name being John White and they reside in the City of New York.

7th-- That the claim of your Petitioner to share in the distribution of the proceeds of the sale of the real estate of Michael Lingg mentioned in Exhibit "A" to the Bill was made known to the Solicitor for the Plaintiffs and the said Solicitor advised that the claim would be made as set forth in this petition but the Solicitor for your Petitioners was seriously injured by accident and confined to his home for some weeks and as a consequence the petition was not prepared and filed in the interim the Decree of Court was passed and the property is now advertised for sale under said decree and will be sold on the 15th day of March A.D. 1918 unless otherwise ordered by this Honorable Court.

Your Petitioner Therefore prays the Court (a) That the Decree of this Honorable Court passed in this cause on February 18th A.D. 1918 may be rescinded in so far as the said Decree directs a sale of the land mentioned in Exhibit "A" to the Bill of Complaint and that an order may be passed directing the Trustee named in said decree not to proceed with the sale of said land until the further order of the Court. (b) That your Petitioners may be made parties Defendant in this cause with the right to intervene therein and assert their claim to a share of the proceeds of the sale of the real estate mentioned and described in Exhibit "A" to the Bill and that they and each of them being children of Michael Lingg may be by Decree of this Honorable Court declared to be each entitled to a pro-rata ^{share} of the proceeds of sale of said land with the said Edna M.--William A. and Clarence V. Lingg.

And for such other and further order and decree as the case of your petitioners in its nature may require. May it please your Honors to pass an order requiring the said Edna M. Lingg an adult and the said William A. Lingg and Clarence V. Lingg, infants, by John H. Martz their Guardian ad Litem to answer this petition and shew cause if they or either of them may have why the decree should not be passed as prayed for in this petition and that a copy of this petition and Courts order may be served upon the said Edna M. Lingg or her Solicitor of record and upon the said William A. Lingg and Clarence V. Lingg Infants and upon John H. Martz Guardian ad Litem of William A. and Clarence V. Lingg on or before the 11th day of March A.D. 1918. And as in duty etc, will ever pray etc.,

Albert S. Brown,
Solicitors for the
Petitioners.

George T. Lingg
Felix H. Lingg
John E. Lingg
Emma Kelly
by John E. Lingg
Mary R. White
by John E. Lingg

State of Maryland---Frederick County, to-wit!-

I hereby certify that on this 6th day of March, A.D. 1918, before me the subscriber, a Justice of the Peace of the State of Maryland in and for Frederick county, duly commissioned and qualified personally appeared at the County and State aforesaid George T. Lingg Felix H. Lingg and John E. Lingg, three of the