Frederick J. Nelson and James McSherry, Esquires, filed in Court here his Bill of Complaint against the aforesaid Eldred W. Mobberly as follows, to wit:

Bill of Complaint

To the Hon. the Judges of the Circuit Court for Frederick County, sitting in Equity.

Humbly complaining showeth unto your Honors, your Orator John Cook Mobberly, that heretofore, to wit; on the 27th day of February A.D. 1880, a certain Eldred W. Mobberly brought his certain action of Ejectment in your Honorable Court, on the law side thereof, against your orator for the recovery of a certain tract or parcel of land, lying & being situate in Frederick County, Maryland, and known as a part of a tract of land called Lapland, and part of a tract called Locust Thicket, and which are more particularly described by metes & bounds, courses & distances in the declaration filed by said Eldred W. Mobberly, in said action of Ejectment a certified copy whereof is herewith filed & marked as Exhibit "A" all of which will more fully appear, reference being had to the proceedings in said action of Ejectment, certified copies whereof are herewith filed & marked respectively Exhibits "A," "B." & "C." which, together with all other Exhibits are prayed to be taken as part of this Bill of Complaint.

Your Orator further shows unto your Honors & sayeth that heretofore to wit; about the year 1857 the said Eldred W. Mobberly who is the father of your orator, being desirous of procuring a home for him and to make provision for his support maintenance and settlement in life, as he had done for other members of his family agreed

to give to your Orator the aforesaid described tract or parcel of land, and did give said tract or parcel of land to your Orator, and in pursuance of said agreement & in execution of said gift, and as referring thereto and resulting therefrom, placed your Orator in possession thereof as absolute owner in fee simple; that since said time your said orator has been in actual possession use & enjoyment of said land & premises, claiming and using the same as sole owner thereof; that said possession, use, enjoyment & claim of sole ownership thereof by your Orator, were fully known to the said Eldred W. Mobberly, who, not only acquiesced therein, but on divers occasions, & through a long series of years, expressly declared to your Orator & to divers other persons, that he had given said tract or parcel of land to your Orator, and that your Orator was the sole & proper owner thereof and that he could do therewith whatsoever he saw fit; that your Orator, having entire faith in, and relying with implicit confidence upon the word and promises of the said Eldred W. Mobberly, and never doubting the validity of said gift of said tracts or parcels of land, or that the same were his own, or that the said Eldred W. Mobberly would in due time execute to your Orator a proper monument of title therefor, did lay out and expend large sums of money in permanent improvements thereon with the full knowledge & concurrence of the said Eldred W. Mobberly, which he otherwise would not have done.

Your Orator further shows unto your Honors that the legal title to said tract or parcel of land is vested in said Eldred W. Mobberly, which contrary to Equity and good conscience, he is about to enforce by said action of ejectment; that your Orator is powerless to defend himself