

"BILL OF COMPLAINT"

ROY M. EASTERDAY	*	NO. <u>18323</u> EQUITY
VS.	*	IN THE CIRCUIT COURT FOR
FRANCIS EASTERDAY	*	FREDERICK COUNTY, MARYLAND

* * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator, complaining, says:

FIRST: That Martin V. Easterday, widower, deceased, was, in his lifetime, seized and possessed of certain real estate located in Jackson District, Frederick County, Maryland.

SECOND: That being so seized, the said Martin V. Easterday conveyed said real estate jointly unto his children, your Orator, Francis Easterday, unmarried, and Ada I. Easterday, unmarried, by deeds dated November 28, 1898, and May 21, 1900, recorded in Liber 348, Folio 590, one of the Land Records of Frederick County, Maryland, certified copies of said deeds being filed herewith, marked Exhibit "A" and Exhibit "B" and prayed to be taken as part of this Bill of Complaint.

THIRD: That Ada I. Easterday, unmarried, has since departed this life intestate, and left surviving her as her only heirs at law, her brothers, your Orator and Frances Easterday.

FOURTH: That said real estate is not susceptible to division among the parties in interest without loss and injury to them.

WHEREUPON, Your Orator prays for the following relief:

(1) That a decree may be passed for the sale of said real estate and the proceeds distributed to the parties according to their respective interests.

(2) That your Orator may have such other and further relief as his case may require.

May it please your Honors to grant unto your Orator the writ of subpoena directed to the said Francis Easterday, residing at 111 North Cleveland Avenue, Hagerstown, Maryland, commanding him to be and appear in this Court at some certain day to be named therein and answer the premises and abide by and perform such decree as may be passed therein.

And as in duty bound, etc.

SAMUEL W. BARRICK
ATTORNEY AT LAW
FREDERICK, MARYLAND


Samuel W. Barrick, Solicitor for Plaintiff

Filed March 2, 1956