SECOND: That at the time of his death the said John W. Sager was seized and possessed in fee simple of three tracts of land, as follows: (1) Tract of land located in Johnsville District, Frederick County, Maryland, conveyed to Johnson W. Sager by deed from Horace D. Radcliffe and Della I. Radcliffe, his wife, dated October 13, 1915, and recorded in Liber No. 314, folio 255, one of the Land Records for Frederick County, containing 5 acres and 29 square perches, certified copy of which is filed herewith marked Exhibit No. 1, which, together with all other exhibits Complainants pray may be taken and considered as a part hereof; (2) Tract of land located on Johnsville District, Frederick County, Maryland, conveyed to Johnson W. Sager by deed from Finkle H. Birely and Mollie K. Birely, his wife, recorded in Liber No. 314, folio 256, conveying two parcels, first not mentioning acreage and the second containing 4 acres and 9 square perches, certified copy of which is filed herewith marked Exhibit No. 2; (3) Tract of land located in New Midway, Woodsboro District, Frederick County,Maryland, conveyed to John W. Sager by deed from E. Lee Erb, Executor of Sarah Burtner, recorded in Liber No. 378, folio 304, and containing 2 acres, more or less, certified copy of which is filed herewith marked Exhibit No. 3.

THIRD: That the real estate above mentioned is not susceptible of partition or division among the parties entitled to interest therein without loss or damage, and it would be to the benefit and advantage of all the parties at interest that the same be sold and the proceeds arising therefrom be divided according to the interests of the respective parties.

TO THE END, THEREFORE,

1st. That a Decree may be passed for the sale of the said real estate and the proceeds arising therefrom be distributed under the direction of your Honorable Court to the parties entitled according to their respective interests.

2nd. And for such other and further relief as the nature of the case may require.

May it please your Honors to grant unto Complainants the Writ of Subpoena, directed to the said A. Catherine Myers, widow, who resides on Route No. 2, Union Bridge, Maryland, commanding her to be and appear in your Honorable Court on some certain day to be named in said Writ, to answer the premises and abide by and perform such Decree as may be passed herein.

William P. Stone
SOLICITOR FOR COMPLAINANTS

Filed January 7, 1959