

(5 - a ) That the said Laura A. Clemson Plaine took title, with her brother, James H. Clemson, to said real estate from Dennis D. H. Clemson, their father, per his will, recorded in Liber C. E. S. No. 1, f. 282, Will Records of Frederick County, Maryland, shown by Ex. 3; and that the will of the said James H. Clemson, Ex. 4 is from Will Records S. D. T. No. 1, f. 257, from which Clarence L. Clemson, took title, both Exhibits filed herewith and prayed to be taken as part of this Bill of Complaint.

Filed July 10, 1943

(6) That the said farm and the dwelling houses and lands thereunto attached are not susceptible of partition, without material loss and injury to the parties in interest and entitled to interest therein, as above stated and that , in order to make division of said interest it will be necessary for said real estate to be sold and the proceeds thereof divided between the parties entitled according to their respective interests.

(7) And your Oratrix further shows unto your Honorable Court that there are no judgments or mortgages against the parties plaintiff or Defendants of record in the Circuit Court for Frederick County, Maryland that constitute liens upon the interests and estates of such parties.

(8) That your Oratrix further says , aforesaid, that Letters of Administration upon the personal estate of the said Clarence LeRoy Clemson, have been granted by the Orphans' Court of Anne Arundel County, Maryland, to your said Oratrix, and that as such executrix she has proceeded with the administration of said estate, which , while not yet concluded, is in course of administration and the personal estate and assets your Oratrix advises will be ample to discharge the debts and obligations and costs of administration without recourse to the above mentioned real estate.