

THIRD: That all of the aforementioned heirs at law of the said Emanuel R. Nagle are adults.

FOURTH: That the said real estate mentioned and described in this Bill of Complaint is encumbered by a Mortgage dated June 14, 1948 and recorded in Liber 470, at folio 530, etc., one of the Land Records of Frederick County from Emanuel R. Nagle and Mary E. Nagle, his wife, to Clyde W. Smith, in the principal sum of \$1,500.00 with interest at 4 per cent per annum; and by a Second Mortgage dated June 26, 1954 and recorded in Liber 532, folio 355, one of said Land Records from Emanuel R. Nagle and Mary E. Nagle, his wife, to Clyde W. Smith, in the principal sum of \$2,350.00, with interest at 4 per cent per annum; that both of said Mortgages have matured and are past due.

FIFTH: That all of the said real estate mentioned and described in this Bill of Complaint is not susceptible of partition without material loss and injury to the parties entitled to interest therein, as above stated, and that in order to make a division of said interest, it will be necessary and it will then be to the best interest of all parties concerned therein, that the said real estate be sold and the proceeds thereof be divided among the parties entitled to interest therein, as above stated, and that in order to make a division of said interest, it will be necessary and it will then be to the best interest of all parties concerned therein, that the said real estate be sold and the proceeds thereof be divided among the parties entitled thereto, according to their respective interests therein.

TO THE END THEREFORE:

1. That a Decree may be passed by your Honorable Court for the sale of said real estate mentioned in the foregoing Bill of Complaint by Trustee or Trustees to be appointed thereunder, and the proceeds distributed under the Direction of your Honorable Court to the parties entitled according to their respective interests.
2. That your Complainants may have such other and further relief as the nature of their case may require.

And your Complainants pray for the following process:

May it please your Honors to grant unto your Complainants the Order of Publication giving notice to the said Thomas Nagle and Nancy Nagle, his wife,