

resides at 4717 Springfield Avenue, Philadelphia, Pennsylvania.

The Bill further states that all of the mentioned heirs at law of Emanuel R. Nagle, are adults.

The Bill then states that said real estate is encumbered by a Mortgage dated June 14, 1948 and recorded in Liber 470, at folio 530, 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 One Thousand Five Hundred (\$1,500.00) Dollars with interest at four 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 to Clyde W. Smith, in the principal sum of Two Thousand Three Hundred Fifty (\$2,350.00) Dollars, with interest at four per cent per annum and that both of said Mortgages have matured and are past due.

The Bill then states that said real estate is not susceptible of partition without material loss and injury to the parties entitled to interest therein, and prays for the passage of a Decree for the sale of the real estate aforesaid and that the proceeds of the sale be distributed under the direction of the Honorable Court and for general relief; it further prays that a Writ of Subpoena be issued against Clyde W. Smith, Mortgagee, and for an Order of Publication against Thomas Nagle and Nancy Nagle, his wife, Linn Nagle and Marie Nagle, his wife, George Nagle and June Nagle, his wife, all residing at 5395 Frankfort Court, Detroit 13, Michigan, and against John S. Nagle, residing at 4717 Springfield Avenue, Philadelphia, Pennsylvania.

It is thereupon this 31st day of December, 1959, by the Circuit Court for Frederick County, Sitting as a Court of Equity, ORDERED that the Plaintiffs give notice to the said non-resident Defendants of the object and substance of this Bill by causing a copy of the same to be published in some newspaper published in Frederick County, once a week for four successive weeks prior to the 3rd day of February, 1960, commanding them and each of them to be and appear in this Court, in person or by Solicitor, on or before the 5th day of March, 1960, and show cause, if any they or each of them, have, why a Decree should not be passed as prayed.

W. JEROME OFFUTT
ATTORNEY AT LAW
FREDERICK, MD.

W. Jerome Offutt
D. Paul Mc Nabh
Solicitors for Complainants

Ellis C. Wachter
Ellis C. Wachter, Clerk of Circuit Court for
Frederick County, Maryland

Filed December 31, 1959