

THIRD: That by virtue of the aforesaid deed, the Complainant and the Respondents were seized and possessed, as joint tenants as aforesaid, of all that lot or parcel of land situate, lying and being along or near the Southern side of the public road leading from Catoclin Furnace to Jimtown, in Thurmont Election District, Frederick County, State of Maryland, containing 2 acres of land, more or less, and bounded on the East at the time of the aforesaid deed by the land of C. Crandall, on the South and West by the land of Granville Laymen and on the North by the said public road, said parcel having been conveyed unto the parties hereto by the aforesaid deed, dated and recorded as aforesaid.

FOURTH: That the Complainant respectfully represents unto your Honors that the land and improvements thereon hereinbefore described are not susceptible to a division in kind between the parties entitled thereto according to their respective interest without great loss and damage, and that it would be to the best interest and advantage of the parties to this cause that the land and improvements be sold under and by virtue of an Order of this Honorable Court, and after the payment of the usual court costs and expenses, the proceeds therefrom be distributed between the parties to this cause according to their respective interests.

TO THE END THEREFORE:

1. That your Honors, upon the usual examination in the premises, may appoint a Trustee or Trustees for the sale of the real estate and improvements herein described and to divide the proceeds from said sale under the direction of your Honors to the parties entitled thereto according to their respective interests, after the payment of the usual court costs and expenses attendant to such a sale.

2. That the Complainant may be granted such other and further relief as the nature of his case may require.

May it please your Honors to grant unto the Complainant the writ of subpoena in the usual form directed to the Respondents, Lula I. Eichelberger, Widow, and Paul E. Keeney Kegley and James Kegley, her husband, all of whom now reside at Route #1, Thurmont, Maryland, commanding them to be and appear in this Court on some certain day to be named therein, to answer the premises, and to