

may be taken and considered as part of this Bill of Complaint, That said testators left the following children to them at Law to whom said Lands descended to wit: John H. Alexander and Jeremiah Alexander residents of Frederick County Maryland, Ann C. Martz intermarried with Andrew Martz, Elizabeth Shoemaker intermarried with Samuel Shoemaker residents of Washington County Maryland, Mary Margaret Kephart intermarried with Joshua Kephart residents of Allegheny Pennsylvania, both now residents of the State of Maryland and do not reside therein. That said heirs at Law are all adults and cannot agree upon a division of the Estate, That said Estate is not susceptible of division or partition and that it cannot be divided without loss or injury to the parties interested and your Complainants are advised that they are entitled to have the same sold and the proceeds thereof distributed among all the parties in proportion to their respective interests. That it will be for the intent and advantage of all the said parties to sell the aforesaid Estate and to divide the proceeds as aforesaid. And the Complainants pray the Court to pass a decree to sell the said Real Estate and that the proceeds be distributed amongst those entitled and to grant them an order of publication giving notice to said Mary Margaret Kephart and her husband Joshua Kephart non-resident Defendants of the substance and object of this Bill and warning them to appear in this Court in person or by solicitor on or before a day to be specified therein to show cause if any they have why a decree shall not be passed as prayed. It is thereupon ordered by the Court this 6<sup>th</sup> day of February A.D. 1874 that the Complainants cause a copy of this order together with the object and substance of the Bill to be inserted in some Newspaper published in Frederick County Maryland once a week for four successive weeks before the 19<sup>th</sup> day of March A.D. 1874, giving notice to the Defendants in said Bill and warning them to appear in this Court in person or by solicitor on or before the 3<sup>rd</sup> day of June A.D. 1874 to show cause if any they have why a decree shall not pass as prayed.

Thomas Gorsuch Clerk  
of the Circuit-Court for Frederick County.

Filed Feb. 6. 1874.

Endorsed on Copy of Order of Publication as follows:  
 We hereby admit service upon us of the within Order of Publication,  
 Witness our hands this 18<sup>th</sup> day of February A.D. 1874  
 Mary<sup>sen</sup> Kephart  
 Joshua<sup>junr</sup> Kephart  
 L. J. Sipe

Answer of Jeremiah Alexander et al  
 vs  
 Mary Margaret Kephart and her  
 husband Joshua Kephart  
 No. 3943 Equity  
 in the Circuit-Court for Frederick County,  
 sitting as a Court of Equity.  
 February Term. 1874.  
 To the Hon. the Judges of the Circuit Court  
 for Frederick County sitting as a Court of Equity.

The joint and several answer of Mary Margaret Kephart and Joshua Kephart her husband to the Bill of Complaint of John H. Alexander Jeremiah C. Alexander Ann C. Martz and her husband Andrew Martz Elizabeth Shoemaker and her husband Samuel Shoemaker filed against