

## No 5112 Equity

your complainant Lemm Hurley, who is a brother of said deceased.  
 3<sup>rd</sup> That the said John W. Blickenstaff, Amanda E. Wolf, George  
 W. Blickenstaff and Lydia A. Bartgis, and Mary J. Kelbaugh, are the  
 children of a deceased sister of the said George W. Hurley -  
 4<sup>th</sup> That since the death of the said George W. Hurley, his niece  
 Mary J. Kelbaugh did intestate leaving her husband, surviving her  
 and two children as her heirs at law named Walter Kelbaugh  
 and John Kelbaugh, in whom has vested their mother's interest in  
 the real estate above described.

5<sup>th</sup> That all of the above named parties are adults, with the exception  
 of the said Walter Kelbaugh and John Kelbaugh, who are infants  
 under Twenty-one years of age, and all reside in Frederick  
 County Maryland, with the exception of Lewis H. Kelbaugh, who  
 lived in Carroll County, Maryland, John W. Blickenstaff  
 and Mary J. Blickenstaff, his wife, who are non residents of the  
 State of Maryland, and reside in the state of Indiana, Josiah  
 H. Hurley and Mary, his wife, who reside in the State of Iowa,  
 John E. Hurley and Mary Ann Hurley, his wife, who reside in  
 in the State of Kansas.

6<sup>th</sup> That on the 10<sup>th</sup> day of April A.D. 1885, the said John E.  
 Hurley caused an attachment to be issued out of the Circuit Court  
 for Frederick County, attaching all the right, title, interest and  
 estate of the said Josiah H. Hurley in and to the Real Estate above  
 set forth and mentioned which attachment was duly served  
 by the Sheriff of Frederick County and is yet pending, a copy  
 of which proceedings is herewith filed as Exhibit No. 7 to this Bill  
 of Complaint

7<sup>th</sup> That the Real Estate above described of which the said George  
 W. Hurley, died seized and possessed, is not susceptible of division  
 among the above named heirs at law without great loss and injury  
 and irreparable damage, and that it would be to the interest of all of  
 said parties and especially the infants Walter and John Kelbaugh to  
 have the same sold under the decree of your Honorable Court and  
 the proceeds divided among those entitled thereto according to  
 their respective interests.

So the end, therefore, that a decree may be passed for the sale of  
 said Real Estate and that your Complainants may have such  
 justice and other relief as the nature of their case may require.  
 Your Complainants pray for the following process.

8<sup>th</sup> That subpoenas may issue directed to Lemm H. Kelbaugh of  
 Carroll County, Maryland, Walter Kelbaugh, John Kelbaugh, David  
 Selsam and Catharine Selsam, his wife, Jonathan Wolf and Amanda  
 E. Wolf, his wife, George W. Blickenstaff and Mary Blickenstaff,  
 his wife, and Albert W. Bartgis and Lydia A. Bartgis,  
 his wife, of Frederick County, Maryland commanding them  
 and each of them to be and appear in your Honorable Court, on some  
 certain day to be named therein, to show cause, if any they have, why  
 a decree should not be passed as prayed for and to abide by and  
 and perform such decree as may be passed in the premises.