No. 5715 Equity.

Exhibit No 1.

of this Bill as the children and grandchildren of her husband Thomas Warner Dempsey

6. That neither the land of the said Warner Dempsey nor the land of the said Margaret A. Dempsey is susceptible of division among said heirs at law without great loss and injury, nor are said lands susceptible of being divided each from the other or of being sold separately without great loss and injury for the reason that both the land of the husband and that of the wife are of comparatively small value and the buildings are partly on one and partly on the other and that the only way to preserve the interests of the various parties to this suit from being almost totally sacrificed, is to sell the land in entirety and apportion the proceeds.

7. That the said Margaret A Dempsey died without leaving any personal estate whatever and that no administration was had upon the same.

8. That your petitioner Amos W. Dempsey paid for the funeral expenses of the said Margaret A. Dempsey as will appear by Exhibits A. B. and C. herewith filed.

9. That for a number of years before her death the said Margaret A Dempsey was of unsound mind and unable to take care of herself and your orators were at considerable expense in feeding and clothing her and furnishing her with suitable medical attention and nursing as will appear by your orators Exhibits filed herewith and marked Exhibit D.

10. And your orators pray for the following relief

1. That all of the aforesaid real estate may be sold under a decree of Your Honorable Court as an entirety.

2. That the fund arising therefrom may be apportioned and divided among the respective parties according to their respective interests

3. That the proportion of said fund arising from the sale of the land of Margaret A. Dempsey may be applied towards reimbursing your orators for their outlay in keeping the said Margaret A Dempsey and maintaining her during the time of her mental unsoundness so far as the same may extend.

4. And for such other and further relief as your orators case may require—

11. And your orators pray for the following process:

A writ of subpoena directed to Theodore Mary S. Etzler and Henry Etzler her husband and Sarah E Linsey and Charles Linsey her husband all adults of Frederick County Maryland and Martha L. Dempsey Ambrose B Dempsey and Mary Dempsey his wife, Annie W Dempsey, Samuel E. Dempsey (adults): Morgan H Dempsey an infant, Rosa M Dempsey, an infant: Elsie E Dempsey an infant: Effie D. Dempsey an infant: and Mattie R. Dempsey an infant, all of Howard County, Maryland, commanding them and each of them to be and appear in this Court on some certain day to be therein named to show cause if any they have why a decree ought not be passed as prayed

And as in duty &c

Urner & Reedy

Solicitors for Plaintiffs

Filed July 22 1890.