No. 5841 Equity.

Estate shall be sold free from her dower, she to receive out of the proceeds of sale such an amount as she may be entitled to under the laws of Maryland and the rules of your Honorable Court.

7th That said Real Estate is not susceptible of division among said parties without great loss and damage and it would be to their interest to have the same sold and the proceeds divided among them.

8th That the said Jeremiah E. Fox being indebted unto one Ellen L. F. Baker in the sum of seven hundred and seventy five dollars which was money he borrowed to pay off the balance of the amounts due to the said Julia A. Wachter and Margaret Baker according to the provisions of the will of his mother Mary Fox, on the 27th day of December 1890. Executed his deed of Mortgage in which his wife joined, conveying to the said Ella L. F. Baker the real Estate of which he died seized and possessed as above mentioned for the purpose of securing unto her the repayment of said sum of Seven hundred and seventy five dollars and the interest thereon, a certified Copy of which mortgage is filed herewith marked Exhibit No. 4 to this Bill.

9th That on the 2nd day of February 1891 one Samuel Fries recovered a Judgment against the said Jeremiah E. Fox in the Circuit Court for Frederick County in the sum of $300. debt with interest from date and Costs of suit a certified Copy of which Judgment is filed herewith marked Exhibit No. 5 to this Bill both of which debts are yet unpaid and are liens on said real Estate.

10th That the said Catharine Fox, Ella L. F. Baker and Samuel Fries reside in Frederick County, Maryland; the said Cornelius J. Mumhower and Lilly L. Mumhower his wife reside in Carroll County, Maryland and the said Francis M. Fox resides in Adams County in the State of Pennsylvania and all are adults over twenty one years of age.

11th And the plaintiff prays for the following relief.

1st That a decree may be passed for the sale of said real Estate mentioned in Exhibits 1 & 2 and a division of the proceeds among those entitled thereto.

2nd That a summons be issued directed to the said Cornelius J. Mumhower and Lilly L. Mumhower his wife of Carroll County, Maryland, Catharine Fox, Ella L. F. Baker, and Samuel Fries 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 answer said Bill, and abide by and perform such decree as may be passed in the premises.

3rd That an order of publication be issued directed to the said Francis M. Fox the non resident defendant notifying him of the object and substance of said bill and warning him to be and appear in your Honorable Court on some Certain day to be named therein to answer said bill and abide by and perform such decree as may be passed in the premises.

4th And for such further and other relief as may be necessary in the premises.

And as in duty bound will ever pray &c

Filed July 9th 1891.

John E. Motter
Sol. for Plaintiff