No. 6076 Equity.

lies that conveyed to James Hauck by said Samuel Hoke Sr by deed duly recorded Among the Land Records of Frederick County, a certified Copy of which is filed herewith as Exhibit No. 5. and which land is the greater of that described in Exhibit No. A. all of which Exhibits it is prayed may be taken as a part of this Bill.

3rd. That the said Samuel Hoke Sr. left surviving him the following named heirs at law. Vz:

1. A Son. named John Hoke,
2. A Son. named Martin Hoke whose wifes name is Amanda S.
3. A Son. Samuel Hoke Jr. whose wifes name is Sarah,
4. A Son David Hoke. whose wifes name is Jennie,
5. A daughter. named Magdaline Boogle.
6. A Daughter. Mary Swartz. whose husbands name is Detrick Swartz,
7. A Daughter. Catharine Barrier.
8. A Daughter. Rebecca Jones whose husbands name is Maurice Jones.
9. The following Grand Children by a Son George Hoke who died some year ago Vz. George B. Hoke. whose wifes name is Ella Hoke. Alva Hoke, Leroy Hoke, and Addie Hoke to which heirs at law, said real Estate descended and vested in as tenants in Common, and who are now so seized and possessed of the same.

3rd. That all of said heirs at law are adults over twenty one years of age excepting Alva Hoke, Leroy Hoke, and Addie Hoke, who are infants under twenty one years of age, and all reside in Frederick County, Maryland excepting John Hoke, who resides in the State of Ohio. Magdaline Boogle, who lives in the State of Illinois. Detrick Swartz, and Mary Swartz his wife, who resides in the State of Virginia,

4th That the real Estate abovementioned is not susceptible of division Among said parties without great loss and damage, and that it would be to the interest and advantage of all of them, and especially said infants. to have the same sold and the proceeds divided Among them according to their respective interests.

5th And the plaintiff pray for the following relief.

1st That a decree may be passed for the sale of the real Estate of which Samuel Hoke Sr. died seized and possessed and above described and a division of the proceeds of said sale Among said above mentioned heirs at law.

2nd. That a summons may be issued directed to the said Samuel Hoke Jr and Sarah Hoke. his wife. David Hoke and Jennie Hoke his wife. George B. Hoke and Ella Hoke. his wife Alva Hoke, Leroy Hoke and Addie Hoke 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 this Bill and abide by and perform such decree as may be passed in the premises.

3rd That an order of publication may be issued directed to the said John Hoke. Detrick Swartz and Mary Swartz. his wife giving them notice of the object of this suit and the