No. 6154 Equity.

folio 496. a certified Copy whereof is filed herewith as Exhibit No. 9. all of which deeds above mentioned are duly recorded among the Land Records of said County.

2. That the said Lewis Smith being indebted unto a certain Michael Seachrist in the sum of one hundred and eleven dollars did in his lifetime executed a mortgage conveying the lot, or lots of ~~ground~~ six acres ~~and~~ three-quarters above mentioned to the said Michael Seachrist which mortgage was dated A.D. 1879. and duly recorded in Liber W.J.P. No. 7 Folio 145 one of the Land Records aforesaid. a certified Copy whereof is filed herewith as Exhibit No. 10.

3. That the said Lewis Smith left surviving him a widow, the said Catherine E. Smith, and the following children to whom the said real estate descended as his heirs-at-law

1st. A Son. Abraham Taylor Smith, an adult. whose wife's name is Annie. with whom he lives in Carroll County in said State of Maryland;

2nd. An Adult married daughter, Rachel Anne Heffner, whose husband's name is Samuel Heffner, with whom she lives in Frederick County aforesaid

3rd. An adult married Son, John William Smith, whose wife's name is Carrie with whom he lives in Summit County in the State of Ohio

4th. An adult married son, Eugene Grant Smith, whose wife's name is Lucy, with whom he lives in Knox County in the said State of Ohio;

5th. An unmarried daughter, Frances Josephine Smith, who lives with her mother, the said Catherine E. Smith, in Frederick County aforesaid.

4. That the said Frances Josephine Smith is a non compos mentis, and that it will be necessary for a Committee or trustee to be appointed to take charge of the interests of the said Frances Josephine Smith.

5. That the said real Estate is not susceptible of a division among the said parties in interest without great loss and injury, and that it would be greatly to the advantage of all of said parties to have said real Estate sold and the proceeds of the sale thereof divided among them as they are entitled to participate, after the payment to the said Michael Seachrist of the amount due him on the mortgage debt aforementioned,

wherefore, Your Orators pray your Honors to pass a decree ordering the said real estate to be sold and the proceeds of the sale thereof to be divided among the parties in interest according as they are entitled to take.

To the end therefore, that Your Orators may have the relief to which they are entitled.

may it please Your Honors to grant unto them the following relief, Viz.-

First, the writ of subpoena of the State of Maryland directed to the Sheriff of Frederick County aforesaid against the said Rachel Anne Heffner and Samuel Heffner, her husband, and the said Frances Josephine Smith, and also against the said Michael Seachrist and also to the Sheriff of Carroll County aforesaid against the said Abraham Taylor Smith and Annie Smith, his wife; and an order of publication against the said John William Smith, non resident, commanding them