

No 4257. Equity

subject to the life estate of the said J. Oscar S. Shipley, who your orators allege is willing to have said real estate sold free and clear of his life estate therein.

4.

That said real estate can not be divided among the parties interested, therein without great loss and injury, and that the only mode of making division of the interests in said real estate is by a sale of the same division of the proceeds among the parties according to their respective rights and interests.

5

That the interests of said William M. Shipley in said real estate is subject to a judgment, lien in favor of his father, the said J. Oscar S. Shipley, amounting to \$426.11 with interest thereon from the 15th day of February, 1900, and cost of suit, ascertained and certified to, a copy of which judgment is herewith filed as part hereof marked "Exhibit B".

6.

And your orators pray for the following relief:—

- (1) That the said real estate may be sold under a decree of your honorables and that the proceeds of said sale may be divided among the parties according to their respective interests, and,
- (2) That your orators may have such other and further relief as the nature of their case may require.

(7)

And your orators pray for the following process:—
That the writ of subpoena may be directed to the said William M. Shipley his wife, and J. Oscar S. Shipley, all Adults of Frederick County and for the said Clemmie Corvies Shipley, all Adults of Frederick County and for the said Clemmie Corvies Shipley and Florence Pauline Shipley, infants of said County, commanding them and each of them to be and appear in this Court on some certain day, to be named therein, to answer the premises and abide by and perform such decree as may be passed therein.

And as in duty bound,

Milton G. House,

Clayton C. Kerdy,

Lawrence House,

Solicitor for the Plaintiff