

NO 7270, Equity

filed herewith marked exhibit A, and prayed to be considered a part of this bill.

3. That your orators are advised that upon the death of said intestate, the said real estate descended to his three brothers, above named, in equal portions, as tenants in common. Subject to the dower right of intestate's widow Kattie Davis, and the Complainants and defendants are all the persons having an interest in the said real estate. Holding and owning the same as tenants in common subject to the widow's dower by descent from their deceased brother, Samuel T. Davis and form as aforesaid.

4. That the said house and seven acres of land are not susceptible of partition or division in kind among the persons interested, without serious loss, and injury to the persons entitled and that it is the desire of the Complainants, that the said real estate be sold and the proceeds distributed to the parties entitled according to their respective rights and interests under the supervision of your honorable Court, and these Complainants invoke the aid of your Honorable Court to that end.

It is the end therefore, (a) that a decree may be passed for the sale of said real estate by a trustee to be appointed by your Honorable Court.

(b) That the proceeds of sale may be brought into Court and distributed among the parties interested according to their respective rights and interests, and,

(c) That your orators may have such other and further relief as the nature of this case may require.

May it please your Honor to grant unto your Honor the writ of subpoena, in the usual form, directed to said George W. Davis and wife, and Kattie Davis, all of whom live near Mt Airy, in Frederick County, commanding them and each of them to be and appear in your Honorable Court on or before a day certain to be named therein to show cause if any they have why decree should not pass as prayed.

And as in duty bound, &c.

Glenn W. Woottingham  
Solicitor for Plaintiffs.