No. 8319 Equity

the provisions of the last Will and Testament of John Gladhill deceased, after her death, and as will appear by reference to said Will Exhibit "F".

5. That at the time of his death, the said John Gladhill was seized and possessed of the following real estate, situated lying and being in the town of Sabillasville, in Hamburg District, in Frederick County, Maryland, namely, first, of that real estate containing 43 Square perches of land as described in the deed from Lawrence Pryor and Josephine Pryor, his wife, to John Gladhill, dated January 31, in the year 1898, and recorded in Liber D.H.H. No. 3, folio 258 &c., one of the Land Records of Frederick County, Maryland, a duly Certified Copy of which is herewith filed as part hereof and marked "Exhibit "B"; and also the real estate containing 37 Square perches of land, more or less, situated in said District and being the real estate as described in the deed from Joel M. Willard and Emma M. Willard, his wife, to John Gladhill, dated April 1, in the year 1898, and recorded in Liber D.H.H. No. 3, folio 258, one of the Land Records of Frederick County, Maryland, a duly Certified Copy of which is herewith filed as a part hereof and marked "Exhibit D."

6. That at the time of the death of the said Matilda Gladhill the real estate described in said Exhibit B" and D, remained in her possession unsoved and is now in the possession of James H. Myer the said Substituted Executor".

7. That by reason of the Language contained in the will of said John Gladhill your orators are uncertain if a power of sale be given unto the said James H. Myer Executor, to sell, grant, convey the real estate described in Exhibit B, and D.

8. That said real estate is in part vacant and the dwelling house thereon is unoccupied.

9. That said real estate is not susceptible of partition or division among the parties entitled thereto without loss and injury.

10. That it will be to the best interest and advantage of your orators and all the other parties interested in said real estate that the same be sold at once by the said James H. Myer Executor, if under said Will of John Gladhill a power of sale be given unto said Executor, and if not, then by a Trustee to be appointed by your Honorable Court, so that the net proceeds arising therefrom may be divided among the parties entitled thereto under the Will John Gladhill, deceased,