

No. 8537. Equity.

personal and mixed, of which the late Great A. C. Fox, died seized and possessed, to Charles G. Myers, whose wife's name is Susan H. Myers both of Washington D. C. which said deed is dated on the said 18th. day of February, in the year A. D. 1889, and is fully recorded in Title H. J. P. No. 6, folio 747, one of the Land Records of said County, a certified copy of which said last mentioned deed, is marked Exhibit No. 4, and is filed herewith as a part hereof, whereby the said Charles G. Myers became seized and possessed of all the right, title and interest, of the said E. August Fox, a son as aforesaid, and of Helen Fox his wife in and to said tract land of \$1500.00 and the property described in Exhibit No. 2, furnished with said funds.

9th. That the above named parties are seized and possessed of said real estate in said interest as your Honorable Court, may determine under all the facts in the case, after a proper accounting, as tenants in common.

10th. That the said real estate described in Exhibit No. 2, is situated in said Frederick County, Maryland consisting of a house and lot, and is not susceptible of partition or division without material loss and injury to the parties to interest therein as above stated, and that, in order to make division of said interest, it will be necessary or well as to the best interest and advantage of all parties interested, that said real estate be sold, under a decree of your Honorable Court, and the proceeds thereof divided among the parties according to their several interests,

To this end therefore

1st. That a decree may be passed for the Sale of the said real estate.

2nd. That the proceeds of said Sale may be distributed among the respective parties to this Cause according to their respective interests and rights and interests.

3rd. That your Orators may have such other and further relief as their case may require.

May it please your Honor to grant unto your Orators the writ of Subpoena, directed to the said Calvin A. C. Fox, and Paul C. Fox, his wife adults, both residing in said Frederick County, Maryland, commanding them to be and appear in your Honorable Court, at some certain day, to be named therein, and answer the premises and abide by and perform such decree, as may be found thereon.

And as in duty, etc.
 Attest H. S. Stoddard
 Secy. of Court

Witness for Plaintiff