

No. 8805. Equity.

defendant residing at Piedmont, State of West-Virginia; Carrie Tutrow a daughter, whose husband's name is Frank Tutrow, both adult defendants residing in Frederick City, Maryland; Millard Myers a son, whose wife's name is Pearl Myers, both adult defendants residing with her brother Robert Myers residing in Glencoe State of Pennsylvania. Melissa Myers a daughter, now temporarily residing with her brother Robert Myers at Piedmont, State of West Virginia, an adult defendant; and Ashby Myers an infant son, residing in Frederick City, Frederick City, Maryland.

Third. That by virtue of the terms of said deed before referred to, the children named in the preceding paragraph are now the owners of as tenants in common, of the land described in said deed marked "Exhibit No. 1".

Fourth. That the wife of Mathew L. Myers and the mother of the aforesaid mentioned children, is dead, she having died before her husband, the said Mathew L. Myers.

Fifth. That said property named in said deed, is badly in need of repair and would require several hundred dollars to put it in proper condition and consequently it is rapidly depreciating in value; that it is now and will be impossible for all the parties in interest to agree upon a price for its sale, and therefore, it would be to the best interests of and advantage of all the parties interested therein especially the infant defendant for the above stated reasons as well as that it cannot be divided among the owners thereof equally or without great loss and damage, that the same be sold under a decree of your Honorable Court, and the proceeds divided among the parties in interest.

To the end therefore, that the said real estate may be sold under a decree of your Honorable Court, and that the proceeds of said sale, after the payment of all costs and expenses of these proceedings, be divided among the parties in interest, and that the defendants herein named, may answer the premises, and that your complainants may have such other and further general relief as the nature of their case may require.

That the infant defendant Ashby Myers may answer the premises along with the other defendants.

May it please your Honors to grant unto your complainants, an order of Publication

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