

3rd. That the undivided one-half interest of the said Henry T. Harley in and to the said land mentioned in Exhibit A descended by inheritance to the brother and sister of the said Henry T. Harley and to the children of the deceased brothers of him, the said Henry T. Harley, as set forth in paragraph 2nd of this bill of complaint, and that the remaining one-half interest in and to said land mentioned in said Exhibit A is still owned by the said Josephus E. Harley,

4th. That the said land mentioned in Exhibit A is not susceptible of division among the parties thereunto entitled without material loss and injury, and that it would be to the interest and advantage of all the parties and especially to Pauline Harley, the infant defendant in this cause, to have the same sold under a decree of Your Honorable Court and the proceeds thereof divided among the parties thereunto entitled according to their respective rights and interests.

To the end therefore, (a) That the land mentioned in Exhibit A may be sold under a decree of your Honorable court and the proceeds thereof divided among the parties thereunto entitled according to their respective rights and interests.

(b) That your complainants may have such other and further relief as the nature and equity of their case may require.

May it please Your Honors to grant unto your complainants the writ of subpoena against the said Pauline Harley, the infant defendant, who resides with her mother near Burkittsville, in Frederick County, Maryland, commanding her to be and appear in Your Honorable Court on some day certain to be named therein to show cause, if any she may have, why the relief herein prayed should not be granted.

and also to grant unto your complainants an order of Publication against the said Dr. John Harley and Harley, his wife, Bertha Harley, Margaret Harley, Lula Harley, all of whom are adult non-residents of the State of Maryland, residing in the State of Pennsylvania; and also against the said Mary Ann Willard, who is also a non-resident of the State of Maryland residing in the State of Texas, warning them to be and appear in your Honorable Court on some day certain to be named therein to answer the premises and to abide by and perform such decrees as may be passed herein.

And as in duty, etc.

Milton G. Urner

Milton G. Urner, Jr.

Emery L. Coblentz

Oscar D. Coblentz

Solicitors for Complainants.

EXHIBIT A.

At the request of J. E. and H. T. Harley the following deed is received for record & recorded Nov. 18 1903, at 2.30 o'clock P. M.

Test--Douglass H. Hargett, Clerk.

This deed made this 19th day of November in the year nineteen hundred and three, by Caroline O'Donnell (widow) of Baltimore City, in the State of Maryland.

Witnesseth that in consideration of the sum of Eighteen thousand dollars in hand paid the receipt whereof is hereby acknowledged, I the said Caroline O'Donnell do hereby grant in fee simple unto Josephus E. Harley and Henry T. Harley, of Frederick County in the State of Maryland, all that tract or part of a tract of land containing two hundred and ninety six acres and thirty seven square perches of land more or less, situate lying and being in Frederick County, in the State of Maryland, being part of "The Resurvey on Maryland" and being the same property described in