

2. That upon the death of the said M. Frank McAleer intestate and unmarried, the real estate mentioned in said Exhibits Nos. 2 and 1 decended to and vested in the following named parties, being the brothers and sisters, and nephews and nieces of a deceased brother and sister of the said Frank M. McAleer, as tenants in common, to-wit: an adult brother, J. Stuart McAleer, whose wife's name is Minnie C. McAleer, residents of Look Haven, State of Pennsylvania; an adult sister, unmarried, Carrie G. McAleer, a resident of The State of New York; - the following nephews and nieces being children of Clara L. McSherry, a deceased sister, to-wit: J. Roger McSherry, whose wife's name is Eva A. McSherry, residents of the State of Virginia; Clara L. Alvarez, whose husband's name is John N. Alvarez, residents of Brooklyn, New York; Ann R. Alvey widow resident of Frederick Maryland, Caroline S. McSherry, resident of Frederick, Maryland, Bertha McSherry Wimsatt and W. Kurtz Wimsatt, her husband, residents of Washington, D. C.; William Clinton McSherry whose wife's name is _____ McSherry residents of Oklahoma City, State of Oklahoma, and the following named children of a deceased brother, Hugh McAleer, Jr and nieces of intestate, to-wit: - Edna Freckler, an adult, whose husband's name is A. N. Frecker, residents of Rockway Park, Long Island, State of New York; Elsie L. McAleer, an adult of East Orange, State of New Jersey, unmarried; all of said heirs at law being adults.

3. That said real estate is not susceptible of division or partition among the parties interested in the same, without loss or damage and it would be, your petitioners aver, to the benefit and advantage of all of the parties that said real estate be sold and under the direction of your Honorable Court, and the proceeds distributed according to the interests of the parties entitled.

TO THE END THEREOF, -

1. That a decree may be passed for the sale of said real estate mentioned in the foregoing Bill of Complaint, and the proceeds distributed under the directions of your Honorable Court, to the parties entitled, according to their respective interest.

2. And for such other and further relief as the nature of the case may require. May it please your Honors, to grant unto your Complainants the writ of subpoena, directed to Ann R. Alvey and Caroline S. McSherry residents of Frederick County, Maryland, requiring them to be and appear in your Honorable Court, on some day certain to be named in said writ, answer the premises, abide and perform such a decree as may be passed therein; and

That the Order of Publication may issue against the non-resident defendants, Clara Louise Alvarez and John M. Alvarez, her husband, residents of Brooklyn, New York, William Clinton McSherry, and _____ McSherry, his wife, residents of Oklahoma City, State of Oklahoma, Edna Frecker and A. N. Frecker, her husband, of Rockway Park, Long Island, N. Y., and Elsie L. McAleer of East Orange, State of New Jersey, warning them of the object and substance of this Bill of Complaint and requiring them to be and appear in this Court on some day certain to be named in said Order of Publication, answer the premises and abide by and perform such decree as may be passed therein.

And as in duty, ect.,

J. Roger McSherry

Stoner & Winebueg

Filed August 29-1914.

SILICITORS FOR COMPLAINANTS.

"EXHIBIT. No. 1"

THIS DEED, made this this 16th day of December in the year eighteen hundred and ninety eighth, by us William P. Maulsby Jr, John S. Newman and J. Roger McSherry. Trustee, Witnesseth. Whereas by a decree of the Circuit Court, for Frederick County sitting as a Court of Equity, passed on the 23rd day of September in the year