No, 9777, Equity.

eppy of which is hereby filed as part hereof and marked Exhibit, No,2.

4, That the said Mary Louisa Gutherie in the 11th paragraph of said will devised all the rest, residue and remainder of her estate, real,personal and mixed. owned by her at the time of her death, and wheresoever found, to her two sisters, Barbara, Jane Beam and thesaid susan Gutherie, to be divided equally among them, share and share alike, of which said residue thereal estate, hereinafter mentioned formed a part,

5, That the said Barabara Jane Beam died before the said Mary Louise Gutherie, intestate, and left surviving her, a husband George P, Beam and One child Harry C, Beam as his only heir. at law.

6th, That the real estate, devised to thesaid Barabara Jane Beam and Susan C. Gutherie, under the provisins of the 11th paragraph of said will, being all the rest, residue and remainder of the estate of the said Mary Louisa Gutherie is described as " First and Second, in said deed to the said Mary Louisa Gutherie, by said George P, Beam and wife, heretofore mentioned in the Second paragraph of said Bill Complaint.

7th., that the said Harry G. Beam by deed dated October 12, 1916, conveyed to his father,the said George P, Beam surviving husband of Barbara Jane Beam deceased, all his one half interest in and to all that real estate devised to Barbara Jane Beam and Susan C, Gutherie, by the will of the said Mary Louisa Gutherie,which deed is recorded in Liber No, 318, folio 423, one of the Land Records of Fredsick County, a certified copy of which deed is herewith filed as part hereof marked "Exhibit No.3 ".

8th, That the said George P, Beam surviving husband of the said Barbara Jane Beam died at said Frederick County, intestate, leaving surviving him, one Child, the said Harry J, Beam, who is married, whose wife's name is Lucy M. Beam, the two Defendants in this cause as his heirs at law, and to whom his said real estate descended, and which is heretofore mentioned, as onehalf, interest in and to all the real estatedevised to the said Susan C, Gutherie, and to the said Barbara Jane Beam in paragraph 11, of said will,of the said Mary Louisa Gutherie,

9, The a certain J. miller Smith, Executor of the last will and Testament of Mary Louisa Gutherie, has stated his final account, and made distribution, of said estate, according to the provisions of said will,paying all debts, charges and legacies and has obtained a decree of final discharge, a certified copy of which final account, distribution, decree and final discharge is here by filed marked #exhibit No,4#

10. That the above named Susan C, Guthrie and Harry G, Beam owners, of the real estate, which is distributed, and described, as First and Second in the aforegoing deed marked "exhibit No,2, are unable to agree among themselves as to disposition of the property.

11th, That the said real estate is not susceptible of division among the the above parties, owners thereof and that it cannot be divided without great loss and damage, that it would be to the best interest and advantage, of all the parties, to have the samesold,and the proceeds arising therefrom, after the payment of of all costs and expenses attending the sale of said real estat divided among them according to their respective rights, and interests,

And theplaintiff prays for the following relief,

First; that a decree may be passed directing said real estate to be sold, and after the payment of all costs Charges and expenses attending said sale, the proceeds to be divided among the parties , the aforesaid mentioned owners thereof.

Second That the plaintiff may have such other and further relief as the the nature of her case may require.