erick County. (2) A parcel of land containing 3 acres and 6 square perches, more or less, conveyed to the said Emory A.Murphy by Rufus H.Burdette and wife, by deed dated August 18, A.D.1911, and recorded in Liber No.308, Folio 496, one of said Land Records. The said two parcels of land being contiguous and now making one tract or parcel. Certified copies of the aforesaid deeds are filed herewith and marked, respectively, in theorder mentioned above, "Exhibit No.1" and "Exhibit No.2" and prayed to be taken as a part of this Bill of Complaint, as fully as if here inserted in words and figures.

2. That the aforesaid tract or parcel of land is subject to an easement or right of way conveyed by the said Emory A.Murphy and wife to the Chesapeake and Potomac Telephone Company of Baltimore, Maryland, to operate, construct and maintain its lines of telephone and telegraph wires over and across said property, and upon and along the road, streets and highways adjoining the same, as particularly mentioned and set forth in the Deed for the said right of way or easement dated April 28, 1916, and recorded in Liber No.318, Folio 47, one of said Land Records; a certified copy of the said deed being filed herewith, as part hereof, marked "Exhibit No.3".

3. That the said Emory A.Murphy left surviving him, a widow, Amanda J.Murphy, who is now living, and the following children, all of whom are now living, who with the said Amanda J.Murphy are his only heirs at law; Walter A.Murphy a son, who is married and whose wife's name is Helen V. Murphy; James H.Murphy a son, (the Plaintiff) who is married and whose wife's name is Mildred E.Murphy; Mamie E.Gartrell a daughter, who is married and whose husband is Howard G.Gartrell, ; Nellie M.Reynolds, a daughter, who is married and whose husband's name is Edward Reynolds, Oliver E.Murphy a son, who is married and whose wife's name is Edna M.Murphy; Mary E.Kelly a daughter who is married and whose husband's name is James Kelly.

4. That under the law of inheritance of the State of Maryland the aforesaid real estate is now owned, as tenants in common, by the above-named heirs at law of the said Emory A.Murphy in the following proportions; the said Amanda J.Murphy, widow, being entitled to a one-third undivided share or interest therein; the said Walter A.Murphy, James H.Murphy, Mamie E.Gartrell, Nellie M.Reynolds, Oliver E.Murphy and Mary E.Kelly being each entitled to a one-ninth undivided share or interest therein.

5. That the said lands and improvements, being the real estate mentioned and described in the first paragraph of this Bill of Complaint, cannot be divided without loss or injury to the parties interested.

6. That all of the said parties in this Bill of Complaint, Plaintiffs and Defendants, are adults over twnety one years of age and the Defendants Walter A.Murphy and Helen V.Murphy, his wife, Mamie E.Gartrell, his wife, and Howard E.Gartrell, her husband, reside in Frederick County, in the State of Maryland; that the Defendants Oliver E.Murphy and Edna M.Murphy, his wife, reside in Baltimore City, in the State of Maryland; that the Defendants Nellie M.Reynolds and Edward Reynolds, her husband, are non-residents of the State of Maryland and reside in the City of Trenton Mercer County, in the State of New Jersey; that the Defendants Mary E.Kelley and James Kelly, her husband, and Amanda J.Murphy, widow, are non-residents of the State of Maryland and reside in the City of Winchester, in Frederick County, in the State of Virginia.

WHEREFORE the Plaintiffs pray for the following relief;

(1) That your Honorable Court will pass a decree for the sale of the aforesaid real estate by a Trustee or Trustees, appointed by said decree, and that the proceeds of said sale may be divided among the parties entitled thereto, according to their respective rights and interests under the decree of your Honorable Court.

(2) That the Plaintiffs may have all such other and further relief to which they may be entitled and the nature of the case may require.

And the Plaintiffs pray for the following process;

That the writ of subpoena innthe usual form, directed to the Sheriff of Frederick County, may be issued out of your Honorable Court against the defendants Walter A.Murphy and Helen V.Murphy