

BILL OF COMPLAINT.

Myrtle M. Rohrback, Perry Rohrback, : No. 11683 Equity.
 her husband, Annie E. Fisher, :
 George W. Fisher, her husband, : In the Circuit Court
 Julia M. Coates and Charles Coates, :
 her husband, : for Frederick County.
 :
 Vs. :
 :
 Woodrow Rutherford and :
 Viola Rutherford, infants. :
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TO THE HONORABLE JUDGES OF SAID COURT:

The Bill of Complaint of Myrtle M. Rohrback, Perry Rohrback, her husband, Annie E. Fisher, George W. Fisher, her husband, Julia M. Coates and Charles Coates, her husband, respectfully represents unto your Honorable Court:

FIRST: That a certain Robert R. Rutherford late of Frederick County, Maryland, who resided near Point of Rocks, Frederick County, Maryland, departed this life intestate in March, 1928.

SECOND: That the said Robert R. Rutherford was survived by the following children:

Myrtle M. Rohrback, whose husband's name is Perry Rohrback, Point of Rocks, Frederick County, Md.

Annie E. Fisher, whose husband's name is George W. Fisher, Point of Rocks, Frederick County, Md.

Julia M. Coates, whose husband's name is Charles Coates, Taylorstown, Va.

Woodrow Rutherford, aged 15 years, infant, who resides with Mrs. Carrie Culler, Hagerstown, Md.

Viola Rutherford, aged 16 years, infant, who resides with James S. Dyer, Frederick, Md., R. D. # 2.

THIRD: That the above mentioned children are all the heirs at law of the said Robert R. Rutherford, his wife having predeceased him and all of said children are adults except Woodrow and Viola whose ages are as above mentioned.

FOURTH: That the aforementioned children are the only persons having any interest in the real estate hereinafter mentioned and to whom the real estate hereinafter mentioned descended under the Inheritance Laws of Maryland, and in whom the same vested as tenants in common.

FIFTH: That the said Robert R. Rutherford acquired title to the real estate of which he died seized and possessed from the following deeds:

(1) Deed from Robert Rutherford to Robert R. Rutherford and Lewis Edward Rutherford dated February 8, 1906, and recorded in Liber S. T. H. No. 274, Folio 39, one of the Land Records for Frederick County. (2) Deed from Robert Rutherford to Robert R. Rutherford dated February 26, 1908, and recorded in Liber No. 282, Folio 153, one of the Land Records for Frederick County. (3) Deed from Lewis E. Rutherford to Robert R. Rutherford dated February 21, 1916, and recorded in Liber No. 316, Folio 155, &c., one of the Land Records for Frederick County. (4) Deed from Lewis Edward Rutherford and Agnes T. Rutherford dated December 20, 1917, and recorded in Liber No. 324, Folio 43, one of the Land Records for Frederick County.

Certified copies of said deeds are filed herewith marked "Exhibits A, B, C, D," respectively. Said real estate consists of 65 acres, 2 roods and 35 square perches of land, more or less.

SIXTH: That said land and buildings thereon cannot be divided among the parties hereto without loss and injury and it would be to the best interest and advantage of all said parties that same be sold under a Decree of your Honorable Court and the proceeds distributed among the parties hereto.

WHEREFORE Your Complainants pray for the following relief:

1st. That the real estate hereinafter described may be sold under a Decree of your Honorable Court.

2nd. That the proceeds arising therefrom be distributed among the parties entitled thereto according to their respective interest after the payment of all commissions and expenses incident to said sale.