

2. All those lots, pieces or parcels of ground situate, lying and being in Frederick County, State of Maryland, in or near the village of Point of Rocks, and being Lots Nos. 5 and 8, as designated upon a plat filed as Exhibit No. 3 in No. 7387 Equity, In the Circuit Court for Frederick County, in Equity, together with the perpetual rights-of-way appertenant thereto; and also all that tract or parcel of land, situate on the North of and adjacent to said Lot No. 8 and between said Lot No. 8 and Kanawa Avenue as relocated; and also all that lot, piece or parcel of land laid off and designated as Lot No. 9 on the aforesaid plat filed as Exhibit No. 3 in said No. 7387 Equity, and also the small strip or parcel of land lying North of said Lot No. 9 and between said lot and Kanawa Avenue as relocated, being all and the same real estate more fully described in and conveyed by a deed from James O. Hyder, widower, to the said Edward F. Fry, bearing date on the twenty-fifth day of March, 1919, and recorded in Liber No. 328, Folio 96, one of the Land Records of Frederick County; a certified copy of which said deed is herewith filed, marked "Exhibit No. 3", and prayed to be taken and considered as a part hereof.

3. All that tract, piece or parcel of land, containing fifty-four (54) acres, two (2) roods and thirty-three (33) square perches of land more or less, which is the portion of all that tract containing two hundred fifty-three and one-half ($253\frac{1}{2}$) acres more or less, which was conveyed unto the said Edward F. Fry by Eugene W. Mercier and Eli W. Mercier, by deed bearing date on the twenty-fourth day of March, 1906, and recorded in Liber S. T. H. No. 274, Folio 247, one of the Land Records of Frederick County; a certified copy of which said deed is herewith filed, marked "Exhibit No. 4", and prayed to be taken and considered as a part hereof; which remains and was excepted and reserved out of the conveyance of one hundred ninety-eight (198) acres, three (3) roods and seven (7) square perches of land more or less, by the said Edward F. Fry and Sarah E. Fry his wife, to Joseph H. Carey and Ollie M. Carey, his wife, by deed bearing date on the sixteenth day of April, 1921, and recorded in Liber No. 335, Folio 408, one of the Land Records of Frederick County; and which exception and reservation of fifty-four acres (54), two (2) roods and thirty-three (33) square perches of land more or less, is fully described by metes and bounds, courses and distances in the aforesaid deed from Edward F. Fry and wife, to Joseph H. Carey and wife, a certified copy of which said deed is herewith filed, marked "Exhibit No. 5" and prayed to be taken and considered as part hereof.

Third: That the said Scott L. Fry, a son of the said Edward F. Fry, one of the devisees in remainder, departed this life on or about the second day of October, in the year 1936, before the death of his said mother, Sarah E. Fry, and left him surviving as his only heirs at law, a widow, Mary V. Fry, a daughter, Jane Page, whose husband is Ernest Page, a daughter, Emily Shry, whose husband is Carroll Shry, and a son, Edward Fry, an unmarried infant about nineteen years of age; that all of the said devisees, together with their respective husbands, are parties defendant to this suit, excepting the complainant and his wife, and that all of the said parties are residents of Frederick County, State of Maryland.

Fourth: That the aforesaid real estate can not be divided without loss or injury to the parties interested, among the said parties, and that it is to the benefit and advantage of all the said parties and especially of the infant defendant, that the said real estate be sold and the proceeds of sale be divided among the parties entitled thereto according to their respective interests.

WHEREFORE, your complainants pray your Honorable Court to decree a sale of the aforesaid real estate and to appoint a Trustee or Trustees thereof to make the sale thereof under the direction and control of your Honorable Court.

And for such further or other relief as the nature and equity of the case may require.

And may it please your Honorable Court to grant unto your complainants a writ of sub-