containing eleven acres, three roods and twenty-three square perches of land, more or less, located about three miles West of Myersville, in said Frederick County, Maryland, and being the same real estate which was conveyed from John W. Frey and wife, to said Park Green and Susan Green, his wife, who predeceased the said Park Green, by deed dated March 28, 1919, and recorded in Liber No. 328, at folio 74, one of the land records for said Frederick County.

2. That being so seized and possessed of said real estate the said Park Green, departed this life, intestate, on or about October , 1935, and left surviving him, as his only heirs at law, the following children; - Eva S. Houpt, John E. Green, Oscar W. Green, Laura C. Horine, Luther C. Green, Emma Green and Cora Schroyer, who are now the joint owners as tenants in common of said real estate.

3. That said real estate can not be divided amongst the parties in interest, without loss and injury to the parties intered in said real estate.

Wherefore your complainants pray as follows:

(1) For a decree of Court directing said real estate to be sold, and the proceeds divided amongst the parties interested.

(2) For the appointment of a trustee or trustees, to make said sale and distribution.

(3) And for such other and further relief as the nature of the case may require.

And may it please your Honors to grent unto your complainants, the writ of subpoena, direction to said defendants, residing near Myersville, in said Frederick County, Maryland, command___ to be and appear in this Court on some certain day to be named therein to abide by and perform such decree as may be passed in the premises.

H. K. DeLauter

Filed October 31, 1946

EQUITY SUBPOENA

State of Maryland, Frederick County, to-wit:

THE STATE OF MARYLAND

To Cora Schroyer and Harry Schroyer, her husband, near Myersville, Md., of Frederick County, Greeting

YOU ARE HEREBY COMMANDED. That all excuses set apart, you personally appear before the Judges of the Circuit Court for Frederick County, sitting as a Court of Equity, to be held at the Court House in Frederick, in and for Frederick County, on the FIRST Monday of November, 1946, to answer the Bill and Complaint of Eva S. Houpt et al (For Sale of Real Estate of Park Green, deceased) against you in said Court exhibited, and so forth.

Hereof fail you not, as you will answer the contrary at your peril.

Witness the Honorable Charles W. Woodward, Chief Judge of said Court, the 2nd day of September, A. D. 1946.

Place of Court Seal

Issued the 31st day of October, A. D. 1946.

Ellis C. Wachter
Clerk.

To the Sheriff of Frederick County.

H. Kieffer DeLauter
Solicitor.

The defendants are required to file their answers or other defense in the Clerk's office within fifteen days after the return mentioned above, but the personal attendance of the defendants at court on the return day is not required.

Deft's Sum. and a copy left with each of them Oct. 31, 1946

Horace M. Alexander
Sheriff.

Filed November 1, 1946