SEVENTH: That by reason of the aforesaid deed from Lawrence A. Kennedy, et. al., and by operation of the provisions in the said Will of the said Bernard J. Kennedy, deceased, heretofore mentioned, the entire right, title and interest in and to the above described property of the said Bernard J. Kennedy, vested in your Complainants, Bernard Joseph Kennedy, Jr., intermarried with Elaine E. Kennedy, and Marvin E. Kennedy, unmarried, all residing at Frederick, Maryland, said interest now being an undivided one-third interest in and to the aforesaid property.

EIGHTH: That by reason of the aforesaid deeds, the remaining interest in and to the above described property it being an undivided two-thirds interest, is titled in the name of Francis L. Kennedy, intermarried with Flora Kennedy, to the extent of an undivided one-third interest and in Thomas J. Kennedy, intermarried with Madge Kennedy, to the extent of an undivided one-third interest, all being adults and residing in Frederick, Maryland.

NINTH: That all of the said real estate mentioned and described in this Bill of Complaint is not susceptible of partition without material loss and injury to the parties entitled to interest therein, as above stated, and that in order to make a division of said interest, it will be necessary and it will then be to the best interest of all parties concerned therein, that the said real estate be sold and the proceeds therefrom be divided among the parties entitled thereto, according to their respective interest therein.

TO THE END, THEREFORE:

1. That a Decree may be passed by your Honorable Court for the Sale of said real estate mentioned in the aforegoing Bill of Complaint by Trustee or Trustees to be appointed thereunder, and the proceeds distributed under the direction of your Honorable Court to the parties entitled according to their respective interest.

2. That your Complainants may have such other and further relief as the nature of their case may require.

And your Complainants pray for the following process:

May it please your Honors to grant unto your Complainants the Writ of Subpoena directed to Francis L. Kennedy and Flora Kennedy, his wife, residing at 219 East Church Street, Frederick, Maryland; Thomas J. Kennedy and Madge

W. JEROME OFFUTT
ATTORNEY AT LAW
FREDERICK, MD.