

as his only heirs at law, the children mentioned in paragraph No. 2, above.

4. That said John T. Horine departed this life, intestate, in the year 1939, leaving no child or descendant, father or mother, but the remaining brothers and sisters, as his only heirs at law.

5. That said Edwin M. Horine departed this life, intestate in the year 19 leaving as his only heirs at law, his widow, Minerva C. Horine and three children namely, Floyd Horine, Philip Horine and Elizabeth Horine Washburn.

6. That the remaining heirs at law of said Frances E. Horine, by their deed dated November 13, 1939, conveyed to said Emma E. Horine, all of their right, title, interest and estate, being an undivided $\frac{4}{6}$ interest in and to said real estate, making the said Emma E. Horine, the owner of $\frac{5}{6}$ of said real estate, and leaving the other $\frac{1}{6}$ interest belonging to the heirs of said Edwin M. Horine, the above named defendants.

7. That the parties to this suit are the joint owners of said real estate as tenants in common.

8. That said real estate can not be divided without loss and injury to the parties interested therein.

Wherefore your petitioner prays for the following relief:

1. That a decree may be passed for the sale of said real estate for division amongst the parties interested.

2. That a trustee or trustees may be appointed to make said sale and distribution.

3. That your petitioner may have such other and further relief as may be requisite.

And as in duty bound, etc.,

J. M. McLaister
Solicitor for Complainant.

Filed November 10, 1954