

Smoketown, Washington County, Maryland;

John Henry Moser, a son, who died intestate in the year 1940, leaving him, his widow surviving, Priscilla A. R. Moser, who resides at Boonsboro, Washington County, Maryland;

Samson H. Moser, a son, who died unmarried, intestate, January 25, 1943;

all of whom are adults, and who are Plaintiff and Defendants in this action.

SECOND: That at the time of her death the said Malinda Moser was seized and possessed in fee simple of a tract of land situated on the road leading from Myersville to Boonsboro, about two and one-half miles west of Myersville, Frederick County, Maryland, containing 172 1/3 acres of land, being the same property that was conveyed to Malinda Moser by deed from Jacob Moser, dated October 28, 1902, and recorded in Liber D. H. H. No. 15, folio 401, one of the Land Records for Frederick County, the original of which is filed herewith marked Exhibit No. 1 to this Bill of Complaint.

THIRD: That the said real estate above mentioned is not susceptible of partition or division among the parties entitled thereto without great loss or damage, and it would be to the best interest and advantage of the parties in this equity cause that the same be sold and the proceeds arising therefrom be divided according to the interests of the respective parties.

TO THE END, THEREFORE,

1st. That a Decree may be passed for the sale of said real estate and that Trustees be appointed for the sale of the same, and the proceeds arising therefrom to be distributed under the direction of your Honorable Court to the parties entitled according to their respective interests.

2nd. And for such other and further relief as the nature of the case may require.

May it please your Honors to grant unto your Complainants the Writ of Subpoena, directed to Nannie C. Palmer and Albert Palmer, her husband, Harry Moser, unmarried, Clarence Moser, unmarried, Hubert Moser and Annie Moser, his wife, All of whom reside at Myersville,