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NINTH: That Lottie V. Thomas died unmarried and intestate in the month of November, 1951, that Annie A. Thomas died unmarried and intestate in the month of November, 1953, that Bennie R. Thomas died unmarried and intestate in the month of November, 1961, whereupon the entire interest under the deed referred to in the preceding paragraph became vested in May I. Thomas, who departed this life unmarried and intestate in the month of September, 1963.

TENTH: That upon the death of May I. Thomas, unmarried and intestate, that her interest as the surviving joint tenant descended unto Carrie S. Bartlett, whose husband is Elmer C. Bartlett, and Preston Michael, whose wife is Elsie Meier Michael, as the only surviving niece or nephew of the said May I. Thomas, and which, with the previous interest acquired by the aforesaid parties by descent as above set forth, resulted in nine-sixteenths interest in the aforesaid real estate being vested in the said Carrie S. Bartlett, and seven-sixteenths interest in said real estate being vested in the said Preston Michael.

ELEVENTH: That the said Carrie S. Bartlett has intermarried with Elmer C. Bartlett, and resides at R.F.D. #4, Frederick, Maryland, and the said Preston Michael has intermarried with Elsie Meier Michael, who is a non-resident of this State residing at 3732 Howard Road, Richmond, Virginia.

TWELFTH: Your Complainants represent to your Honorable Court that the land hereinabove described is not divisible without loss or injury to the parties entitled, and that it would be to the best interest of all the parties to this cause that said land be sold and, after the payment of the usual Court costs and expenses, the proceeds therefrom to be distributed to the parties hereto, in accordance with the respective interests in said real estate, as determined by the laws of descent of the State of Maryland.

TO THE END THEREFORE, that the Defendants may answer the premises; and

(a) That a Decree may be passed by your Honorable Court for the sale of the real estate hereinabove mentioned and described; and