

liber L.H.R.No.95, folio 561 &c., a certified copy of which deed was filed with the original bill in this cause and marked Exhibit "A".

(b) The undivided one-half interest in and to all that piece or parcel of land lying and being in taneytown, Carroll County, Maryland, containing 2722 square feet of land, more or less, which was conveyed to the said Judson Hill by Walter A. Bower and wife, by deed dated August 2nd, 1912, and recorded among the land Records of Carroll County in liber O.D.G.No.120, folio 431 &c., as will appear by reference to a certified copy of said deed filed with the original bill in this cause and marked Exhibit "B"; the other undivided one-half interest being owned by Merle S. Baumgardner, as will appear by certified copy of deed from Judson Hill and Helen P. Hill, his wife, to said Merle S. Baumgardner, dated December 27th, 1912, and recorded among the land Records of Carroll County in liber L.M.M Jr.No.143, folio 294 &c., herewith filed and marked Exhibit "X".

(c) All those two tracts or parcels of land situate in Frederick County, Maryland, known as the "Neighbors Agreement", Tract No.1 containing 110 acres of land, more or less, and Tract No.2 containing 12½ acres of land, more or less, which were conveyed to the said Judson Hill by Margaret Waybright, widow and others by deed dated March 24th, 1880, and recorded among the land Records of Frederick County in Liber A.F.No.4, folio 175 &c. as will appear by reference to a certified copy of said deed filed with the original bill in this cause and marked Exhibit "C".

(d) All those three tracts or parcels of land, two of which tracts are situated in Frederick County, and the other in Carroll County, State of Maryland, the first tract containing 4 acres and 148 square perches of land, more or less; the second and third tracts containing by estimation 65 acres of land, more or less, being the same three tracts of land which were conveyed to the said Judson Hill by Peter Sell and wife, by deed dated October 9th, 1886, and recorded among the land Records of Frederick County in Liber W.I.P.No.1, folio 701 &c., and also recorded among the land Records of Carroll County in Liber B.F.C.No.71, folio 221 &c, as will appear by reference to a certified copy of said deed filed with the original bill in this cause and marked Exhibit "D", excepting however from the operation of this deed a Mill property containing 15-1/8 acres, which was sold off by Peter Sell to a certain Hannah C. Myers, and also saving and excepting therefrom the first tract of land containing 4 acres and 148 square perches. which was sold off and conveyed by the said Judson Hill to Margaret A. Hilterbrick and Luther N. Hilterbrick her husband, by deed dated March 16, 1911, and recorded among the land Records of Frederick County in liber H.W.B.No.296, folio 15 &c.

Fourth, That the said Judson Hill at the time of his death left surviving him the following children, heirs at law and next of kin, viz; A widow, Helen P. Hill, defendant,

A son, Homer S. Hill whose wife's name is L. Maud Hill, and A daughter, Margaret A, Hilterbrick, plaintiffs in this case.

Fifth, That the aforesaid real estate upon the seath of the said intestate, Judson Hill, descended to and vested in the aforesaid children of the said Judson Hill, and the said widow, Helen P. Hill.

Sixth, That the said real estate is not susceptible of partition without material loss and injury to the parties in interest therein as above stated, and that in order to make division of said interests, it will be necessary that said real estate be sold, and the proceeds thereof divided amongst the parties according to their several interests.

Seventh, That your orator and oratrices are adults above the age of twenty-one years, and the said defendant, Helen P. Hill, widow, is also an adult above the age of twenty-one years.

Eighth, That the said Homer S. Hill and L. Maud Hill, his wife, are residents of Cettysburg, Adams County, State of Pennsylvania, and the said Margaret A. Hilterbrick is a