

No. 5432 Equity.

the month of May 1888, and that the lands whereof Andrew Adams died seized and possessed of and not sold by their mother Catharine Adams under the power aforesaid passed to them under the provisions of said will and that they are now seized of the same as tenants in common.

6. Your complainants further charge that they together with their sister Mrs. Ann Lambright their brother Edward Adams and the said John Adams, William Adams and Annie Adams children of their deceased brother Henry Adams, are seized and possessed of the property herein described as tenants in common as aforesaid, that the said land and premises cannot be divided among the parties interested without loss and injury, and that it would be to the interest of all that the said lands and premises should be sold under and by virtue of a Decree of your Honorable Court and the proceeds divided among them according to their several and respective interests.

To the end therefore that the defendants herein named may answer the matter and things herein charged the same as if they were herein again repeated and they were specially interrogated, there is added that the lands and premises may be sold under and by virtue of a decree of your Honorable Court and that the proceeds of the sale thereof may be divided among the parties interested according to their respective interests therein and that your orators may have such further and other relief as the nature and Equity of their cause may require. May it please your Honors to grant unto your Complainants the writ of subpœna against the said John W. Lambright and Ann Lambright his wife Edward Adams and Vinney Adams his wife, John Adams, William Adams and Annie Adams all of Frederick County, State of Maryland, commanding them to appear in your Honorable Court upon some certain day to be therein named to answer the premises and abide and perform such decree as may be passed therein, and as in duty is

John W. Kell
Solicitor for Complainants

Filed May 22. 1888.

Exhibit No. 1.

At the request of Andrew Adams the following Deed was recorded Mar. 14. 1848.

This Indenture made this seventeenth day of February in the year of our Lord one thousand Eight hundred and forty Eight between Adam Custard Sheriff of Frederick County in the State of Maryland of the one part and Andrew Adams of the County and State aforesaid of the other part. Whereas on the 17. day of November 1847. a certain Writ of the State of Maryland of fieri Facias did issue forth out of Frederick County Court and to the Sheriff of Frederick County aforesaid directed reciting that whereas at a County Court begun and held at the Court House in Frederick town in and for said County on the 4. Monday of February last a certain Jas. Kell by a Judgment of the same Court recovered against a certain Val. B. Ormer & A. C. Steiner trading as Steiner & Ormer as well the sum of two thousand dollars for his damages which he had sustained as well by reason of the non performance