No. 5699 Equity.

to sell the same but are unable to give a good title thereto by reason of the infancy of some of the parties interested therein as hereinafter set out.

3. That said real estate is not susceptible of division among said tenants in common without great loss and injury.

4. That it would be to the benefit and advantage of the parties interested in said real estate as aforesaid especially the infants, to sell the same and divide the proceeds among them as they are severally entitled, and that it would be to the benefit and advantage of all parties to accept the offer which has been made for said real estate and which still awaits acceptance.

Wherefore Your Orator prays Your Honors

1. To pass a decree for the sale of the real estate herein mentioned.

2. To grant unto Your Orators the Writ of Subpoena of the State of Maryland directed against the said Ellen Lugenia Kemp and Alexander Kemp her husband and Thomas Clinton Ecker (infant) Clara Bell Ecker (infant) and Clarence Josephus Ecker (infant) commanding them and each of them to be and appear before Your Honorable Court on some certain day to be therein named to answer the premises and show cause, if any they have why a Decree should not be passed as herein prayed - said writ to be issued to the Sheriff of Montgomery County for Ellen Lugenia Kemp and Alexander Kemp her husband and Thomas Clinton Ecker and to the Sheriff of Frederick County for Clara Bell Ecker and Clarence Josephus Ecker.

3. To grant unto your Orators general relief.

Frank C. Norwood
Atty. for Plaintiffs

Filed May 20. 1890.

Exhibit No 1.

At the request of Mary K. Able the following Deed is recorded May 21st 1879.

This Indenture made this fifteenth day of April 1878 by Milton G. Urner, Milton Carter and William P. Manlaby Jr. Trustee of the one part and Mary K. Able of the other part, all of Frederick County. Whereas by a decree of the Circuit Court for Frederick County, sitting in Equity, dated on the 10. day of February in the year 1877 and passed in the cause No. 4476 on the Docket of said Court, the above named Milton G. Urner, Milton Carter and William P. Manlaby Jr. were appointed Trustees to make sale of the real estate in the proceedings in cause mentioned - and whereas the said Trustees did on the 24. day of March 1877, sell unto a certain Levi Ecker the wood Lot marked No. 8 on the Plat of the property sold, which is filed in said Equity Cause No 4476, together with the Courses and distances of the same marked respectively Exhibits "B." and "I.S.R." at and for the sum of five hundred and seventy one dollars and twenty one cents, divided into three payments.

And whereas the said Mary K. Able purchased from Levi Ecker the property hereby conveyed to her for the sum of One hundred and Eighty two dollars he fully paid and satisfied to his legal representatives the said purchase money. And whereas the said purchase money of the whole tract called named above Lot No. 8, has been fully paid and