

## No. 4418. Equity

death possessed said land, and was the owner thereof although the said William J. Kindly had failed and neglected to execute a deed to her for said land.

5th That she fully paid the purchase money for said land and was entitled to a deed therefore, but it was not given through inadvertence on the part of the said William J. Kindly.

6th That one George W. Jones claims an interest in said real estate but the plaintiffs allege and charge he has no interest therein.

7th and that plaintiffs charge that the death of the said said Sarah Fretzman, the abovementioned real estate descended to and vested in her abovementioned children as tenants in common, and that they are now so seized and possessed of the same, that the said real estate is not susceptible of division among the without great loss and damage, and that it would be to their interest to have the same sold and the proceeds divided among them.

8th That the said Albert Keys and Georgie Keys his wife, George W. Jones William J. Kindly at Elizabeth Kindly his wife are residents of Frederick County Maryland, are all adults, and the plaintiffs pray for the following relief.

1st. That a decree may be passed for the sale of the real estate abovementioned as the property of the said Sarah Fretzman, and a division of the proceeds of sale among them, and that the said William J. Kindly at Elizabeth Kindly his wife be directed to join in the deed conveying said property to the purchaser.

2 That a summons be issued directed to the said Albert Keys and Georgie Keys, his wife, George W. Jones, William J. Kindly and Elizabeth Kindly his wife, of Frederick County, Maryland, commanding them and each of them to be and appear in person before your Honorable Court on some certain day to be named therein to answer this Bill, and abide by and perform such decree as may be passed in the premises.

3rd and for such other and further relief as the nature of their case may require.

And as in duty bound &c

John L. Matter,  
Sols for Plts.