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No. 8761. Equity.

is prayed to be taken and considered as a part hereof as fully as if the same were herein incorporated.

1. That the said tract of land containing 58 Acres and 13 Square Perches more or less, situated in Frederick County, Maryland as aforesaid, and designated as the said parcel of land herein conveyed, is owned and held by the said grantor herein named, Caroline Johnston Annie Zimmerman, Annie Zimmerman, Annie Reich, Nellie See Robin, George Zimmerman and Harry Zimmerman in fee-simple, as Tenants in Common.

5. That since the acquisition of said tract of land, designated as said parcel in the Deed from William C. Finkey and wife to Caroline Johnston, et al. of which "Exhibit No. 1." is a certified copy, and in which the said Caroline Johnston and Annie Zimmerman have an undivided two-Seventh interest as aforesaid, the said Caroline Johnston Annie Zimmerman, Annie Zimmerman, Annie Reich, Nellie See Robin, George Zimmerman and Harry Zimmerman have sold off the following pieces or Portions of said tract of land, to-wit:—

(a) A parcel containing 5 acres to Harry G. Trikapoe by Deed executed by the said Caroline Johnstone, et al. to him, dated April 1. 1910. and recorded in Liber H.W.B. No. 292, folio 157, one of the Land Records of Frederick County, Maryland, a certified copy of which said is hereunto filed as part hereof marked "Exhibit No. 2."

(B). A parcel consisting of two lots to Annie Zimmerman by Deed executed by the said Caroline Johnstone, et al. to her, dated March 8. 1911. and recorded in Liber H.W.B. No. 292 folio 4, one of the Land Records of Frederick County, Maryland, a certified copy of which said Deed is hereunto filed as part hereof marked "Exhibit No. 3.

(C). A Parcel consisting of one lot to Edward T. Baumgardner and Emma S. Baumgardner, his wife, by Deed executed by the said Caroline Johnston, et al. to them.

(D). A parcel to the Frederick Railroad Company a body corporate by deed executed by the said Caroline Johnstone et al. to-it.

6. That the said Deed to Edward T. Baumgardner and wife respectively, have never been recorded and the Complainants cannot, therefore, give the dates thereof, nor a description of the property thereby conveyed; and in order that their portions may be properly identified, the said Edward T. Baumgardner and Emma S. Baumgardner, his wife, and the Frederick Railroad Company are made parties hereto so that they can produce their Deeds for this purpose.