

husbands, reside in Frederick County except the said Myrtle I. Koogle, her husband, who reside in Washington County, Maryland.

Third--That the said real estate mentioned and described in Exhibits A B C & D upon the death of the said Josiah Betts, descended unto his aforesaid children subject to the dower right of their mother, Annie N. Betts; that the same is not susceptible of division among the parties thereunto entitled without loss and injury, and it would be to the interest and advantage of all the parties thereunto entitled without loss and injury, and it would be to the interest and advantage of all the parties to the aforesaid cause and especially to the infant defendant, Gorman B. Betts. That the said real estate be sold under a decree of your Honorable Court and the proceeds arising therefrom distributed among the parties thereunto entitled according to their respective rights and interest.

Fourth--That at the time of the death of the said Josiah betts there was a mortgage upon the property held by David U. betts, and that the personal estate of the said Josiah Betts being insufficient to pay all all of said mortgage, the defendant, Annie N. betts, paid Seventy-five Dollars out of her own personal funds, which together with interest from the time of said payment, should be paid to her out of the proceeds of said real estate mentioned as aforesaid upon which said mortgage was a lien.

Your Complainants therefore pray for the following relief--

- (a) That a decree may be passed by Your Honorable Court appointing a suitable person trustee to make sale of the real estate mentioned in exhibit A B C and D.
- (b) That the proceeds thereof, after the payment of the necessary expenses of sale and the costs of this proceeds, be divided among the parties thereunto entitled after paying unto annie N. Betts the sum of Seventy-five Dollars and interest thereof from the date of payment, being the amount advanced by her out of her personal funds for the purpose of paying the balance due under mortgage held by David U. betts, which was a lien upon the real estate of the said Josiah betts at the time of his death.
- (c) And for such other and further relief as the nature and equity of their case may require.

May it please your Honors to grant unto Your complainants the writ of subpoena in the usual form against Annie N. Betts, widow, who resides in Pleasant Walk, in Frederick County, Maryland, and Gorman B. Betts, infant defendant, who resides with his mother in said County, commanding them and each of them to be and appear in Your Honorable Court on some day certain to be named therein to show cause if any they have why a decree should not be passed as prayed.

And as in duty etc.

Emory L. Coblenz.

Solicitor for Complainants.

EXHIBIT A.

At the request of John Betts the following deed is received for record and recorded April 6th 1887 at 9 o'clock 50 minutes P. m.

Test--W. Irving Parsons, Clerk.

This deed made this second day of April in the year eighteen hundred and eighty seven by Jacob Dusing and Nannie Dusing his wife, of Frederick County and State of Maryland, Witnesseth--That in consideration of one hundred and sixty dollars the said Jacob Dusing and Nannie Dusing his wife do grant unto Josiah Betts of Frederick County Maryland, all that lot of land with improvements situated in Pleasant Walk, containing one acre of land more or less being the same lot of land conveyed to the said Jacob Dusing by Carlom P. Reutzahn, constable of the sixteenth election district of Frederick County, md., by deed dated the sixteenth day of July in the year eighteen hundred and seventy five and recorded in Liber T. G. No. 8 folio 76 one of the land records of Frederick county, all of which is hereby guaranteed and conveyed.