

NO. 8906 EQUITY.

Martin E. Fink and Mary A. Fink, his wife;
Carrie V. Elserode and Albert Elseroad,
her husband.

Vs.

Sarah Fink, John S. Fink and Evie Fink, his wife;
Clayton Fink, Annie M. Dodd and Edward Dodd, her
husband; John Francis Smith and H. Dorsey Etchison,
Trustees of John S. Fink, Horace C. Zacharias
and Jacob B. Tyspn and Robert Tyson, trading as
Jacob Tyson and Sons, J. K. D. Williams, Bradley E.
Dutrow, J. William Haines, Cornelius T. Zimmerman,
and W. Keefer Burgee, judgment creditors of John S.
Fink; Frederick A. Ordeman and George L. Cramer,
Trading as George L. Cramer and Sons.

No. 8906 Equity.

In the Circuit Court
for Frederick County,
sitting in Equity.

To the Honorable the Judges of said Court--

The Bill of Complaint of Martin L. Fink and Mary A. Fink, his wife, and Carrie V. Elserode, her husband, respectfully represent unto Your Honors--

1. That by the provisions of the last will and testament of a certain Peter Arnold late of Frederick County, deceased, the said Sarah Fink was devised a life estate in the farm on which she now resides, in Urbana District, in Frederick County, Maryland which is part of a tract called "Remainder" and which was conveyed to the said Peter Arnold, from Charles Hendry, Alexander Jamison et. al. by deed dated November 23, 1872, and recorded in liber C. M. No. 9, folio 279, one of the land records of Frederick County; and by the provisions of said will Martin F. Fink, John S. Fink, Clayton Fink, Clarence Fink, Carrie V. Elserode and Annie M. Dodd, are the joint owners of the remainder in fee, in said farm, as will appear from reference to said will which is recorded in J. P. P. No. 1, folio 225, one of the record books in the office of Register of Wills for Frederick County.

2. That John Francis Smith and H. Dorsey Etchison are the trustees under a deed of trust from John S. Fink, which said deed is dated _____ and recorded in liber H. W. B. No. _____ folio _____ one of the land records of said Frederick County; and that Horace C. Zacharias, Jacob B. Tyson, Henry B. Tyson, and Robert Tyson, trading as Jacob Tyson and Sons, J. K. D. Williams, Bradley H. Dutrow, J. William Haines, Cornelius T. Zimmerman, W. Keefer Burgee, Frederick A. Ordeman and George L. Cramer and Sons, are Judgment creditors of interests in said farm.

3. That your complainants herewith file a certified copy of the said Will of the late Peter Arnold marked Exhibit A., and a certified copy of said deed to Peter Arnold marked Exhibit B and a certified copy of the deed of trust from John S. Fink to Smith and Etchison marked Exhibit C., all of which are prayed to be taken as part of this Bill of Complaint.

4. That the said real estate is not susceptible of partition with material loss and injury to the parties entitled to interests therein as above stated and that in order to make division of said interests, it will be necessary that said real estate be sold and the proceeds thereof be divided among the parties according to their several interests.

To the end therefore--

1st. That a decree may be passed for the sale of said real estate.

2nd. That the proceeds of said sale may be distributed among the parties according to the respective interests.

3rd. That your orators may have such other and further relief as the nature of the