

why a decree should not be passed as prayed.

(2) That an order of Publication may be issued against the said Harry Garver and Cordelia Garver, non-residents, giving them notice of the object and substance of this Bill and requiring them to show cause upon some certain day, if any they have, why a decree should not be passed as prayed. And as in duty bound, they will ever pray.

Urner & Urner
Solicitor for Plaintiffs.

EXHIBIT NO. 1.

At the request of Adam Garber the following deed is received for record and recorded March 1st at 1 o'clock 50 minutes P. M.

Test--Douglass H. Hargett, Clerk.

To all people to whom these presents shall concern, Greeting--
Know ye, that we George Kinzey and Jane Kinzey his wife, of Frederick County, in the State of Maryland, for the consideration of Two Hundred and twenty Dollars, received to our full satisfaction of Adam Garber of the County and State aforesaid, do give, grant, bargain sell and confirm unto the said Adam Garber his heirs and assigns forever the following described parcel of land lying in the county aforesaid and being part of a tract called "Better than None". Beginning at a stone at the end of sixty two and eight tenth perches on the seventh line of the whole tract and running thence South six degrees East, fifteen perches to a stone South sixty-five & three-quarters degrees, east twenty-seven perches to a stone, North twenty-four & a half degrees east fourteen perches to a stone North seventy-nine & a half degrees, West sixteen perches, then with a straight line to the beginning containing two and a quarter acres of land. To have and to hold the above granted and bargained premises with the Appurtenances thereof, unto him the said Adam Garber, his heirs and assigns forever to his and their own proper use and behoof. And also we the said parties of the first part do for ourselves and our heirs, executors and administrators, covenant with the said Adam Garber his heirs and assigns, that at and until the enrolling these presents, we are well seized of the premises as a good, indefeasible estate in fee simple. And have good right to bargain and sell the same in manner and form as is above written. And that the same is free of all incumbrances whatever. And furthermore we the said parties of the first part do by these presents bind ourselves and our heirs forever, to him the said Adam Garber his heirs and assigns against all claim and demands whatsoever, by from or under us, or our heirs.

In witness whereof we have hereto set our hands and seals this seventeenth day of March Anno Domini eighteen hundred and forty nine.

Signed & Delivered
in the presence of
Adam Myers
Isaac Brown

George Kinzey (seal)
Jane I. Kinzey (seal)

State of Maryland, Frederick County, towit--

Be it remembered and it is hereby certified that on the day of the date of the within deed, before us the subscribers two Justices of the peace of the County aforesaid, personally appeared George Kinzey & Jane Kinzey his wife, who from our own personal knowledge, we are satisfied are the persons that are named and described as & professing to be the party grantors in the within deed and severally acknowledge the same to be their respective act and deed, the said Jane having signed & sealed said deed out of the presence & hearing of her husband; and the said Jane being by us examined out of the presence and hearing of her said husband "whether she doth & acknowledge the same" freely and voluntarily and without being induced to do so by fear or threats of or illusage by her husband or fear of his displeasure" declareth and saith that she doth.

Acknowledged before

Adam Myers
Isaac Brown.

State of Maryland, Frederick County, towit--

I hereby certify that the foregoing is a true copy of the original deed from George Kinzey and Jane Kinzey his wife, to Adam Garber, as recorded in liber D. H. H. No. 3 folio 406, one of the land records of Frederick County Maryland. In testimony whereof, I hereunto subscribe my name and affix