

2. That said Georgianna Marken and James H. Marken, being indebted as alleged unto Your Orator ⁵⁶⁹ and divers other persons, each departing this life, the former in the year 1913 and the latter in the month of January in this year, 1916, intestate, leaving surviving them the following, who are the children of both of them, as their only heirs at law, namely:

- (1) A daughter, Cora Idella, an adult, who intermarried with George W. Barkdoll, with whom she lives in Frederick County;
- (2) A son, Ora C. Marlen, an adult, who intermarried with Mary Gordon, with whom he lives in Washington County;
- (3) A daughter, Goldie Myrtle, an adult, who intermarried with Lewis C. Frey, with whom she lives in Frederick County;
- (4) A daughter, Saddle Ray Marken, an infant under twenty-one years of age, who lives in Frederick County;
- (5) A son, Samuel Milo Marken, an infant under twenty-one years of age who lives in Frederick County;
- (6) A son, James Hector Marken, an infant, under twenty-one years of age, who lives in Frederick County;
- and (7) A son, Clarence Alton Marken, an infant under twenty-one years of age, who lives in Frederick County.

3. That the said Georgianna Marken and James H. Marken died possessed of little, if any, personal property, certainly not enough to pay their debts and hardly enough to justify the expense of an administration, and the only real estate of which they, or either of them, died seized and possessed consists of a lot or parcel of two acres, two rods and thirty-two square perches, more or less, situated in Catoclin election district in said Frederick County, which was conveyed to the said Georgianna Marken by a certain Adam N. Warrenfeltz and Clara R. Warrenfeltz, his wife, by a deed bearing date April 2nd, A.D. 1902, but which has never been recorded among the Land Records for Frederick County, which original deed is filed herewith as exhibit No. 2. And Your Orator futhershow unto Your Honors that after the execution and delivery of said deed, to-wit, on the 24th, day of September A.D. 1913, the said Adam N. Warrenfeltz and Clara R. Warrenfeltz, his wife, executed another deed of said Property purporting to convey the same to the said James H. Marken, which deed likewise has never has been resorded among the Land Records, but which original is filed herewith as exhibit No. 3. That whichever of said deeds be taken and considered by Your Honorable Court as the true conveyance of said real estate, upon the death of the said Georgianna Marken and James H. Marken, intestate, the title thereto decended and vested in the several heirs at law above mentioned.

4. That your Orator is advised that he is entitled to have said real estate sold and the proceeds, after payment of the expenses of sale, applied to the payment of the debts of said deceased!

To the end, therefore, -

1st. the the real estate of which the said Georgianna Marken and James H. Marken, deceased, died seized and possessed may be sold for the payment of their debts; and

2nd. That Your Orator may such other and further relief as his case may require, -

May it please Your Honors to grant unto Your Orator the writ of Subpoena directed to the said Cora Idella Barkdoll and George W. Barkdoll, her husband, Goldie Myrtle Frey and Lewis C. Frey, her husband, Saddle Ray Marken, infant, Samuel Milo Marken, infant, James Hector Marken, infant, and Clarence Alton Marken, infant, all residing in Frederick County, and Ora C. Marken and Mary Marken, his wife, residing in Washington County, commanding them and each of them, to be and appear in this Court on some certain day to be named therein and answer the premises and abide by and perform such decree as may be passed therein. And as in duty bound &c.,

Filed Feby. 12th, 1916.

Frank C. Norwood.
Solicitor for Plaintiff.

EXHIBIT NO. 1

No. 1024 \$100.00

Jan, 15th, 1910.

Ninety days after date we jointly and severally promise to pay to The Smithsburg Bank of Washington County, Maryland, or order, the sum of One Hundred Dollars for value received, Negotiable and payable at The Smithsburg Bank of Washington County, Md. And I do hereby expressly waive the benefit of any and all exemptions from execution to which I may be entitled under any legal Act of Assembly of Maryland, or any other State, hereby fully authorizing any offer to sell under any judgement or proceeding