

and Eighty One ~~\$\$\$~~ (\$375.81) Cents being 24.3 per cent of the purchase price leaving the sum of Eleven Hundred and Seventy Two Dollars and Nineteen (\$1172.19) Cents due on said premises money which was paid by Louise A. Kelly, his wife, as appears in the recitals contained in a deed from the Real Estate and Improvement Company of Baltimore City, a corporation, to Louise A. Kelly, John S. Kelly, Malinda R. Kelly and William G. Kelly, said deed bearing date September 25th, 1914 and Recorded among the Land Records of Frederick County, a certified copy of which said deed is herewith filed as part hereof, marked "Exhibit No 1."

2. That the said John A. Kelly, departed this life, intestate, on the Seventeenth day of August 1914, having left unpaid the purchase price of the property as aforesaid, and leaving as his survivors and heirs at law, Louise A. Kelly, his widow, John S. Kelly, William G. Kelly and Malinda R. Kelly as his sons and daughter respectively.

3. That under and by virtue of the provisions of the deed dated September 25th, 1914, "Exhibit No 1" the said Louise A. Kelly is the owner in her own right of 75.7 per cent of all that lot or parcel of ground situated in Brunswick, Frederick County, Maryland, being lot No. 19 in Block No. 15 and shown on the plat of the Real Estate and Improvement Company's second sub-division of Part of Brunswick and described in "Exhibit No. 1" and the said John S. Kelly, William G. Kelly and Malinda R. Kelly are the owners of 24.3 per cent of said real estate subject to the dower interest of the said Louise A. Kelly arising from the death of her husband, John A. Kelly intestate.

4. That since the death of her husband, John A. Kelly, the said Louise A. Kelly, his widow, has intermarried with a certain John Carey, who is made a party defendant hereto.

5. That the said lot of ground, mentioned and described in "Exhibit No. 1" has been improved and now has upon it a two story frame dwelling house, containing seven rooms.

6. That said real estate is not susceptible of partition or division among the parties entitled thereto and cannot be so divided or partitioned without great loss and injury to them; and that it will be to the benefit and advantage to all the parties interested therein to sell the said property and divide the proceeds among them according to their respective interests.

7. That all the said defendants are residents of Brunswick, Frederick County, Maryland.

Wherefore, the complainants pray your Honorable Court for the following relief:-

1. That a decree may be passed for the sale of said real estate and a Trustee appointed for that purpose.

2. That the proceeds arising from the sale of said real estate may be distributed among the parties according to their respective interests.

3. That your Complainants may have all such further and other relief as the nature of their case may require. Your complainants pray for the following process:- That the writ of subpoena may issue out of your Honorable Court in the usual form directed to the said defendants all of whom are residents of Brunswick, Frederick County, Maryland. And as in duty, etc.,

Leo Weinberg, Solicitor.

" EXHIBIT NO 1 "

THIS DEED, made this 25th day of September of September, in the year 1914, by the Real Estate and Improvement Company of Baltimore City, a Corporation, duly organized under the laws of the State of Maryland, party of the first part, and Louise A. Kelly, John S. Newman, Malinda R. Kelly, and William G. Kelly, of Frederick County, State of Maryland, parties of the second part.

WHEREAS, John S. Kelly deceased, of Brunswick, Frederick County, Maryland, died on the 17th day of August 1914, leaving surviving a widow, the said Louise A. Kelly, and three minor children, John S. Kelly, Malinda R. Kelly, and William G. Kelly, and,

WHEREAS, The said John A. Kelly had agreed to purchase from the Real Estate and Improvement Company of Baltimore City a lot in the Town of Brunswick, Frederick County, Maryland, hereinafter described for the sum of \$1548.00 and at the time of his death the said John A. Kelly had paid on said property the sum of \$375.80 being 24.3 per cent of the purchase price, leaving the sum of \$1172.19 due on said purchase price to the said The Real Estate and Improvement Company of Baltimore City; and,