

It is ordered this 6th day of January, in the year Nineteen Hundred and Seventeen, by the Circuit Court for Frederick County, sitting as a Court of Equity, and by the authority thereof that the sale reported in the foregoing report of sale by Samuel R. Barr, Trustee, named in a mortgage from George E. Brooks and wife to The Real Estate and Improvement Company of Baltimore City, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given, as appears from the printer's certificate herewith filed; and it is further adjudged and ordered that this cause be and the same is hereby referred to the auditor to state an account.

(Filed January 6, 1917)

Glenn H. Worthington.

John L.S. Aldridge, Royal J. Smith and Cora Smith, his wife. Plaintiffs.

Vs.

Charles A. Smith and Inda Smith, his wife, Maud A. Smith, Walter Smith, Clara E. Clary and Maurice, E. Clary, her husband, Minnie Minnick and Elmer Minnick, her husband, D. Edgar Smith, Lavinia Smith, Infant, and Mrs. Annie Burgess, Guardian of Lavinia Smith, Defendants.

No. 9614 EQUITY.
IN THE CIRCUIT COURT
FOR FREDERICK COUNTY.

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To the Honorable, the Judges of said Court:-

Your Orators complaining say:-

FIRST, That a certain Laura Smith departed this life intestate in Frederick County, in the State of Maryland, leaving surviving her her husband, William E. T. Smith, who departed this life October 27, 1914 and the following children her only heirs at law, - Royal J. Smith, one of the Plaintiffs who intermarried with Cora Smith, one of the plaintiffs, and both adults above the age of twenty-one years, and Charles A. Smith, who intermarried with India Smith one of the defendants, Maud A. Smith who intermarried with Walter Smith, one of the defendants, Clara E. Clary, who intermarried with Maurice E. Clary one of the defendants, Minnie Minnick, who intermarried with Elmer Minnick one of the defendants, and D. Edgar Smith, who are defendants and adults above the age of twenty-one years, and Lavinia Smith, one of the defendants who is an infant under the age of twenty-one years, having arrived at the age of eight (8) years in the month of March, 1917, all of whom are still living and are resident as follows to-wit:- Royal J. Smith, Cora Smith, Maud A. Smith, Walter Smith, Clara E. Clary, Maurice E. Clary, Minnie Minnick, Elmer Minnick and D. Edgar Smith in Carroll County, State of Maryland; and Charles A. Smith, India Smith, Lavinia Smith, infant, and Mrs. Annie Bugess, Guardian of Lavinia Smith, in Frederick County, State of Maryland.

SECOND, That the said Laura Smith died seized and possessed of certain real estate situate, lying and being in Frederick County, in the State of Maryland, a certain or parcel of which is situate, lying and being in the town of Mt. Airy, in Frederick County, in the State of Maryland, containing sixty-five square perches of land, more or less, and is fully described in the Agreement filed with this Bill marked "Exhibit A".

THIRD, That Annie E. Smith was appointed Guardian by the Orphans' Court of Frederick County, aforesaid, of said Lavinia Smith, infant, and Qualified as such Guardian, and has since intermarried with George W. Burgess.

FOURTH, That the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein as above stated and that in order to make a division of said interests it will be necessary that said land be sold and the proceeds thereof divided among the parties entitled to their respective interests.

FIFTH, That on the Sixth day of January in the year 1917, the said Royal J. Smith, Cora Smith, Charles A. Smith, India Smith, Maud A. Smith, Walter Smith, Clara E. Clary, Maurice E. Clary, Minnie Minnick