

residing in Frederick County.

(2) A son, Raymond E. Martz whose wife is Mary K. Martz, both of whom are adults residing in Carroll County, Maryland,

(3) A son, Kieffer H. Martz whose wife's name Lula I. Martz, both of whom are adults residing in Frederick County,

(4) A daughter Esther R. Martz who is unmarried and resides in Frederick County, and is an adult,

(5) A daughter Hilda M. Martz, an unmarried daughter under the age of twenty-one years, residing with her mother in Frederick County, and,

(6) A daughter Edna R. Martz an unmarried daughter who is about fourteen years of age residing with her mother in Frederick County; to whom the said Real estate descended, as tenants in common.

That the said real estate is not susceptible of partition without great loss and injury to the parties entitled to interests therein, as above stated, and that in order to make divisions of said interests, it will be necessary that said real estate be sold, and the proceeds thereof divided amongst the parties according to their respective interests.

4. To the end therefore.

(1) That a decree may be passed for the sale of the said real estate,

(2) That the proceeds of said real estate may be distributed among your orators and the aforesaid defendants, and,

(3) That your orators may have such other and further relief as their case may require,

(5) May it please your Honors to grant unto your orators the writ of subpoena directed to the said Hilda M. Martz, and Edna R. Martz, infants, of Frederick County, Maryland, commanding 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 &c.,

Clayton O. Keedy

Solicitor for Plaintiffs.

EXHIBIT NO. 1.

At the request of Willie H. Martz the following Deed is received for record and recorded March 22nd, 1906 at 7.25 o'clock A.M.

Test: Samuel T. Haffner, Clerk.

This Deed made this 20th day of March in the year Nineteen Hundred and Six, by us, Peter D. Keens and Alice P. Keens, his wife, of the County of Frederick, State of Maryland, Witnesseth:- That for and in consideration of the sum of Six Thousand Eight Hundred and Seventy Five Dollars (\$6875.00) cash in hand paid by Willie H. Martz of the County and State aforesaid, as full payment of the purchase money the receipt whereof is hereby acknowledged, We the said Peter D. Keens and Alice P. Keens his wife, do hereby grant and convey in fee simple unto the said Willie H. Martz, all the tracts or parcels of land with the buildings and improvements thereon, and appurtenances thereto belonging, situated, lying and being in Frederick County Maryland, as described as follows:- First, All that tract or parcel of land called "Mefferd's Delight", and part of the "Resurvey on Welch Cabin", and which was conveyed unto a certain Frederick Birely by deed dated January 26th, A.D. 1833, and Recorded in Liber J.S. No. 43 folio 221, one of the land records of Frederick County, and subsequently conveyed by the said Frederick Birely to a certain Adam D. Birely of the County and State aforesaid by deed dated April 1st, 1870 containing One Hundred and Four Acres of Land more or less,

Second:- All that tract or parcel of land lying contiguous to the aforesaid tract herein described, called "The Resurvey of Mackley's Choice" and also that tract called "Long Snake" being part of that land which was conveyed unto the said Frederick Birely by William H. Sneek and wife, by deed dated Sept. 21st, A.D. 1859, and conveyed unto the said Adam D. Birely by the said Frederick Birely by deed dated April 1st 1870 and recorded in one of the Land Records of Frederick County, containing Twenty and Nineteen Sq. Ps. of land, more or less,

Third:- All that tract or parcel of land which was conveyed unto the said Adam D. Birely by Daniel Grossnickle and Ellen E. Grossnickle his wife, by deed dated Feby. 6th, A.D. 1875, and recorded in Liber A.F. No. 11, folio 206, one of the land records of Frederick County, as by reference thereto will more fully and at large appear, containing Sixty One Square Perches of land more or less, all of the aforesaid parcels or tract hereby conveyed, being the same property which was conveyed unto the said Peter D. Keens, by the said Adam D. Birely and Harapta J. Birely, his wife, by deed dated March 2nd, 1896, and Recorded in Liber J.L.J. No. 11 folio 617, one of the Land Records of Frederick County, containing in the aggregate 125 acres more or less. Witness our hands and seals.

Test:-

F. S. Rensberg

Peter D. Keens (seal)
Alice P. Keens (seal)