

No. 10600 E Q U I T Y.

H. McElfresh, in said tract described in said Exhibit No. 2, as tenants in common, and your Oratrix, Rachel E. Smith and Orators Edmund W. McElfresh and Charles P. McElfresh are the owners of the other undivided one-half interest under the provisions of said Will, Exhibit No. 3; and the said Edmund W. McElfresh, husband of said Mary H. McElfresh, is also deceased.

5. That said land cannot be divided without loss or injury to the parties interested, and it would be to the interest and advantage of all of them, infants as well as adults for the said land to be sold and the proceeds divided among the parties in interest according to their respective rights.

6. That all of said parties are adults, except said Lucy Mary McElfresh and William Thomas McElfresh, who are infants, and who reside with their mother, Ann Bell McElfresh; and all of said parties, Plaintiffs and Defendants reside in Frederick County, Maryland

And your Orators and Oratrices pray for the following relief;

- (1) That a decree may be passed for the sale of said real estate and the proceeds divided among the parties entitled, and appointing a Trustee therefor.
- (2) That the Plaintiffs may have all such other and further relief to which they may be entitled.

And they pray for the following process; That a summons may be issued in the usual form against said Lucy Mary McElfresh and William Thomas McElfresh, infants defendants, residing in Urbana District in Frederick County, Maryland, commanding them and each of them to be and appear in this Court on some certain day to be named therein, and abide by and perform such decree as may be passed in the premises.

And they will ever pray.

Filed August 12, 1922)

Urner & Urner
Solicitors for Plaintiffs.

"E X H I B I T N O . 1"

At the request of Margaret E. Linthicum the following Deed was recorded March 19th, 1867.



THIS DEED, made this fifteenth day of March One thousand eight hundred and Sixty six by and between Charles McElfresh and his wife Mary L. McElfresh of Frederick Co, in the State of Maryland of the one part and Margaret E. Linthicum, Ann M. McElfresh, Rachel McElfresh and Mary H. McElfresh of the County and State aforesaid, of the second part.

WITNESSETH; That the said parties of the first part, for and in consideration of two thousand dollars current money of the State aforesaid, have granted unto the parties of the second part, all that tract or parcel of land conveyed to the said Charles McElfresh by N. H. Shipley by deed made September 12th, 1843, and recorded in Liber H. S. No. 20 folio 417 & 418 one of the land records of Frederick Co, and more particularly described in a deed given to N. H. Pitts by John H. McElfresh bearing date May seventeenth Eighteen hundred and twenty nine, except certain parcels conveyed to A. W. Cecil S. R. Waters and William Williams containing about One hundred and thirty two acres, Also one half of a tract of wood land, conveyed to Charles McElfresh, by Benjamin Dudderar and wife by Deed bearing date 9th of January 1858 and recorded in Liber B. H. F. No. 1 folio 145, 146, of Land Records of Frederick County, containing 4 1/2 acres more or less in fee To have and to hold in the following parts, Margaret E. Linthicum, one of the parties of the second part is to have and to hold and possess one half of both tracts or parcels of land and an equal right to one half of all the buildings on said tracts of land to hold in