The petition Shelby Brinham, Helen Brinham, Hazel Smith, Kieffer Smith, Anna Carter and Harry Carter, respectfully represents:

1. That a certain Martin M. Horine, late of Frederick County, Maryland, deceased, departed this life, intestate, on or about the ..... day of ..... 1928, seized and possessed of certain real estate located in Jackson District, in said Frederick County, containing three acres, three roods and nineteen square perches of land, more or less, and being the same real estate described and conveyed in the deed to the said Martin M. Horine from Catharine Horine, dated on the second day of September, 1886, and recorded in Liber W.I.P. No. 4 at folio 637, one of the land records for said Frederick County, and a certified copy of said deed is filed herewith as part of this bill of complaint and marked"Exhibit A".

2. That said Martin M. Horine left surviving him the following heirs at law to whom said real estate descended, to wit: a son Alvey J. Horine, whose wife's name is Bettie D. Horine, and the following children of a deceased daughter, Minnie Brinham; Shelby Brinham, whose wife's name is Helen Brinham; Hazel Smith whose husband's name of Kieffer Smith and Anna Carter, whose husband's name is Harry Carter, all adults.

3. That said real estate is in one tract and can not be divided amongst the parties without material loss and injury to their respective interests.

4. That the defendants, Alvey J. Horine and Bettie D. Horine are residents of Myersville, in said Frederick County.

TO THE END THEREFORE,

(1) That said real estate may be sold by trustee or trustees appointed by the Court and the proceeds divided.

(2) And for such other and further relief as the nature of this cause may require.

And may it please your Honors to grant unto your complainants the writ of subpoena, directed to the said Alvey J. Horine and Bettie D. Horine, commanding them to be and appear in this Court on some certain day to be named therein, and to abide by and perform such decree as may be passed therein.

H. K. DeLauter
Sol. for Complainants.

(Filed October 10, 1928)

"EXHIBIT A"

At the request of Martin M. Horine the following Deed is received for record and recorded December 24, 1887 at 12 O'clock M.

Test:- W. Irving Parsons, Clerk.

This Deed made this 2nd day of September Eighteen Hundred and Eighty-Six, by me Catherine Horine of Frederick County, State of Maryland, W I T N E S S E T H that in consideration of the sum of One Hundred and twenty-five ($125.00) Dollars I the said Catherine Horine do grant unto Martin M. Horine of Frederick County, State of Maryland, the following described parcel or part of a tract of land situate lying and being in Frederick County, Maryland, and being part of a tract of land called "Adams Expense" Beginning for the part hereby intended to be conveyed at the end of 15½ perches on the last line of the deed from George L. Routzahn (Executor) to Catherine Horine and running thence with said last line correcting same so as to agree with the original location and the bearings on the 23d day of February 1886 N. 34½° W. 15½ ps. S 32½ W. 42-44/100 ps. to the dividing line between the lands of Catherine Horine and William Miller and with said line S. 32½° E. 16 ps. to a stone the end of the 4th line of George W. Horines part of same lands and with said line reversed N. 35° E. 43-2/10 ps. to the Beginning, Containing three acres three Roods and Nineteen square perches of land more or less, It being part of the same land that Catherine Horine obtained by a deed from George L. Routzahn (Executor) dated April 5th, 1869, and recorded in Liber C. M. No. 3 folio 353 &c, one of the Land Records of Frederick County, Maryland, In fee simple.