this amendment and marked "Exhibit B", and left surviving her, as her only heirs at law, the following:- Martin M. Horine, surviving husband, now deceased, a son Alvey J. Horine, the defendant, whose wife's name is Bettie D. Horine, and a daughter Minnie Brinham, now deceased, who left surviving her, as her only heirs at law, a surviving husband, Robert E. L. Brinham, and the three children Shelby Brinham, Hazel Smith and Anna Carter, who, with their respective wives and husband, are the complainants in this cause, to whom said real estate descended and is now held by them as tenants in common.

3. That said real estate is in two small tracts and cannot 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 adult residents of Myersville in said Frederick County.

TO THE END THEREFORE,

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

(2) That your complainants may have such other and further relief as the nature of their cause may require.

And may it please your Honors to grant unto your complainants, the writ of subpoena in the usual form.

H. K. DeLauter

(Filed June 15, 1929)

"EXHIBIT B"

At the request of Mary E. Horine the following Deed is received for record and recorded June 7, 1929, at 9.35 o'clock A. M.

Test: Eli G. Haugh, Clerk.

This Deed, made this 17th day of May in the year 1897, by Glenn H. Worthington and Charles P. Levy, Trustees, and by Martin M. Horine, the original purchaser of the house and lot hereinafter described, all of Frederick County in the State of Maryland, witnesseth:-

Whereas, by a decree of the Circuit Court for Frederick County, sitting as a Court of Equity, passed in a cause in said Court wherein Mahlon C. Horine, et al, are complainants, and George W. Horine et al, are defendants, known as No. 6185 on the Equity docket of said Court, and dated January 3, 1894, the above named Glenn H. Worthington, and a certain C. V. S. Levy, now deceased, were appointed trustees to sell the real estate therein decreed to be sold. And whereas after complying with all the prerequisites of said decree the said trustees did on February 3, 1894, sell the property hereinafter described to Martin M. Horine, at and for the sum of Five Hundred and Seven Dollars, and the said purchaser failing to comply, the said trustees obtained an order of Court to resell the same, and, in pursuance of said order, offered the same at public sale, whereupon the said Martin re-affirmed his first purchase and gave an assignment of his interest in the proceeds of the sale of the other real estate in said proceedings decreed to be sold, to the said trustees, in part payment of the purchase money, and whereas the said Martin M. Horine has thus paid a part of the purchase money and has obtained releases of the balance due from certain of the heirs, and has paid into the hands of the trustees the whole purchase money, except as released therefrom, as aforesaid; And whereas all of the proceedings in this cause have been reported to and approved by the Court, as will appear by reference to said Equity proceedings in No. 6185 Equity; Now therefore in consideration of the premises and the sum of one dollar, we Charles P. Levy, appointed in lieu of his father C. V. S. Levy, deceased, and Glenn H. Worthington, Trustees as aforesaid, and Martin M. Horine, the purchaser, in whose name the sale was duly ratified, do hereby grant and convey unto Mary E. Horine, wife of Martin M. Horine, for and in consideration of the said sum of one dollar, the