

3rd. And for such other and further relief as the nature of the case may require.

And your Complainants pray for the following process:

That the Writ of Subpoena may be issued in the usual form directed to Woodrow Rutherford, infant, who resides with Mrs. Carrie Culler, Hagerstown, Maryland, and Viola Rutherford, infant, who resides with James S. Dyer, Frederick, R. D. No. 2, Frederick County, Maryland, warning them to be and appear in your Honorable Court on some day certain to be named therein either in person or by solicitor to show cause, if any they have, why the Decree prayed for should not be granted.

Stoner & Storm
ATTORNEY FOR COMPLAINANTS.

(Filed April 17, 1928)

EXHIBIT "A".

At the request of Robert R. and Lewis Edward Rutherford the following deed is received for record and recorded February 8th 1906 at 1.35 O'clock P. M.

Test: Samuel T. Heffner, Clerk.

This Deed made this 8th day of February in the year of Nineteen hundred and Six by me, Robert Rutherford (Divorced a mensa et thora by proceedings in No. 7686 Equity in the Circuit Court for Frederick County) of Frederick County, in the State of Maryland, WITNESSETH:- that for and in consideration of the sum of five dollars love and affection, I, the said Robert Rutherford do grant in fee simple unto Robert R. Rutherford and Lewis Edward Rutherford as tenants in common, all that tract or parcel of land, situate, lying and being in Frederick County, in the State of Maryland, and in Jefferson District of said County, containing Fifty seven and one half acres of land, together with all improvements thereon, and being the same land and premises which was conveyed to the said Robert Rutherford from Lewis O. Whip by deed bearing date of the 12th day of June in the year eighteen hundred and ninety seven, and recorded in Liber D.H.H. No. 1, Folio 158, one of the Land Records of Frederick County, as by reference thereto will more fully and at large appear; also being the same land and premises in which the dower right of Louisa Rutherford, (divorced a mensa et thora from the said Robert Rutherford as aforesaid) was conveyed and and released to the said Robert Rutherford by deed bearing date of the 20th day of September in the year nineteen hundred and four, and duly recorded in Liber S.T.H. No. 267, folio 357, one of the Land Records of Frederick County, as by reference thereto will more fully and at large appear, said land and premises being subject to a Mortgage of two hundred dollars, less the payments made on said mortgage, granted by the said Robert Rutherford unto Charles W. Eagle, and bearing date of the 20th day of September in the year nineteen hundred and four, and duly recorded in Liber S. T.H. No. 268, folios 526 &c., one of the Land Records of Frederick County as by reference thereto will more fully and at large appear.

Witness my hand and seal.

TEST: John Francis Smith.

his
Robert X Rutherford (seal)
mark

State of Maryland, Frederick County, to-wit:-

I hereby certify that on this 8th day of February in the year Nineteen hundred and six before me, the subscriber, a Justice of the Peace of the State of Maryland, in and for Frederick County, personally appeared Robert Rutherford and did acknowledge the foregoing deed to be his act.

John Francis Smith

Justice of the Peace.

State of Maryland, Frederick County, to-wit:-

I hereby certify that the foregoing is a true copy of the original Deed from Robert Rutherford to Robert R. and Lewis Edward Rutherford, as recorded in Liber S. T. H. No. 274, Folio 39, one of the Land Records of Frederick County, Maryland.