

appear by a duly certified copy of said Deed filed herewith as a part hereof and marked "Exhibit A", and all of which said real estate vested in the said Charles W. Moser as surviving tenant by the entireties upon the death of his said wife, Bessie Moser, that occurred on or about the date_____.

THIRD. That at the time of his death the said Charles W. Moser was indebted unto Union Bridge Banking and Trust Company, a body corporate under the Laws of the State of Maryland, one of the Defendants, in the sum of \$2800.00, with interest due from October 21st, in the year 1932, as evidenced by the judgment entered in the Circuit Court for Frederick County, Maryland, at suit of said Union Bridge Banking and Trust Company against the said Charles W. Moser, and being No. 206 Trials, September Term, in the year 1931, a duly certified copy of which said judgment is filed herewith as a part hereof, and marked "Exhibit B".

FOURTH. That a partition of said real estate among the parties entitled thereto, according to the several interests therein as aforesaid, cannot be made without loss or injury to them; but that the Defendants, Alice Holt, Ruth Moser and Elsie Moser, being infants, under the age of twenty-one years, such partition cannot be made without the aid of your Honorable Court;-

To the end, therefore;-

1st. That a Decree may be passed by your Honorable Court for a partition of said property among the persons entitled thereto, according to their respective interests therein as aforesaid, and a division of the money arising from such sale among the parties, according to their respective rights.

2nd. That your Orators may have such other and further relief as their case may require.

May it please your Honors to grant unto your Orators the Writ of Subpoena directed out of your Honorable Court unto the Defendants, Alice Holt, infant, Allen Holt, her husband, Ruth Moser, infant, and Elsie Moser, infant, all residents of Frederick County, in the State of Maryland; and Union Bridge Banking and Trust Company, a body corporate under the Laws of Maryland, located at Union Bridge, in Carroll County, Maryland, directing them and each of them to be and appear in your Honorable Court, either in person, or by their guardian, or by their solicitor, 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 bound, etc.,

Jacob Rohrback
Solicitor for Plaintiffs.

(Filed March 28, 1933)

"EXHIBIT A".

At the request of Charles W. Moser and wife the following deed was received for record and recorded March 24, 1926, at 2:50 o'clock P.M.

Test: Eli G. Haugh, Clerk.

THIS DEED, made this 20th day of March, in the year of our Lord, nineteen hundred and twenty-six, by us, Clarence W. Diehl and Lena M. Diehl, his wife, both of Frederick County, State of Maryland, witnesseth:

That for and in consideration of the payment of the sum of Ten (\$10.00) Dollars, and other good and valuable considerations, the receipt of which is hereby acknowledged, we, the said Clarence W. Diehl and Lena M. Diehl, his wife, do hereby sell, grant and convey, in fee simple, as tenants by the entireties, unto Charles W. Moser and Bessie Moser, his wife, both of Frederick County, State of Maryland, all that tract or parcel of land, known as the Home Farm situate, lying and being in Johnsville District, Frederick County, Maryland, and containing 126 acres, 3 roods and 27 square perches of land, more or less, it being the same tract or parcel of land that was conveyed unto the said Clarence W. Diehl and Lena M. Diehl, his wife, by a certain Jacob H. Diehl and Ella Diehl, his wife, by a deed dated the 26th day of April, 1919, and recorded in liber 328, folio 235, one of the land records in the office

