

(1) That a decree may be passed for the sale of the real estate hereinbefore described under the direction of your Honorable Court, and that the proceeds thereof may be distributed among the parties entitled according to their respective interests.

(2) And that your Complainants may have such other and further relief as the nature and equity of their case may require.

MAY IT PLEASE YOUR HONORABLE COURT to grant unto your Complainants writs of subpoena directed to the said John McKenzie and Rosie McKenzie, his wife; Daniel McKenzie and Orpha McKenzie, his wife; Clara McKenzie; Theresa McKenzie Hahn and William Hahn, her husband; Bertha I. McKenzie; Harry McKenzie; James McKenzie; Helen McKenzie Kreh; Ray Burrier; Grover Harne; Ava Harne; Kenneth Harne; Lorene Harne; Leo Harne; Joseph S. McKenzie and Amy McKenzie, his wife; and Charles A. McKenzie, residing at the addresses hereinbefore set forth; and an Order of Publication against James L. McKenzie, now residing at Norfolk Naval Hospital, Portsmouth, Virginia, and Floyd M. Kreh, now residing at Camp Gordon, Georgia, warning them to be and appear in this Court in person or by Solicitor on or before a certain day to be named therein to show cause, if any they have, why a decree should not be passed as herein prayed.

And as in duty bound, etc.

Amos A. Holter

W. Clinton McSherry
Solicitors for Complainants

Filed December 13, 1943

EXHIBIT "NO. 1"

At the Request of James E. McKenzie the following
Deed is Received for Record and Recorded June 5,
1885 at 10-55 o'clock A. M.

Test: Adolphus Fearhake Jr., Clerk

THIS DEED made this Twenty-third day of May in the year Eighteen hundred and Eighty-five by us Andrew J. Heller and Anna M. Heller his wife of Frederick County in the State of Maryland Witnesseth, that in consideration of the sum of Four thousand and One Hundred Dollars we the said Andrew J. Heller and Anna M. Heller his wife do grant in fee simple unto James E. McKenzie of said County and State all those Two pieces or parts of a tract or parcel of land situate lying and being in Frederick County Maryland, containing Seventy-six Acres one rood and thirty perches of land more or less, it being the same tract of land which the said Andrew J. Heller and Anna M. Heller his wife obtained by deed from Charles A. Kehne and Joana Kehne his wife dated the Eighth day of April 1885 and recorded in Liber A. F. No. 11 Folio 46 One of the Land Records of Frederick County Maryland as by reference thereto will more fully appear; the same was conveyed to the said Charles A. Kehne by Francis I. Lewis and Columbia H. Lewis by deed dated the 4th day of March 1880 and recorded in Liber A. F. No. 1 folio 320 One of the Land Records of County aforesaid as by reference thereto will more fully appear, except however that piece or parcel of land sold to Cornelius Staley supposed to contain Five acres of land more or less for which a deed was given by Francis I. Lewis and Columbia H. Lewis his wife, dated the first day of April 1878 and recorded in Liber T.G. No. 9, folio 135 one of the Land Records of Frederick County aforesaid as by reference thereto will more fully appear: The said Andrew J. Heller and Anna M. Heller his wife do also grant in fee simple unto James E. McKenzie all that piece of land situate and lying in Frederick County Maryland, containing Five acre_ one rood and four perches of land more or less, it being the same tract or parcel of land which the said Andrew J. Heller and Anna M. Heller obtained from Charles A. Kehne and Joana Kehne his wife by the before mentioned deed dated the Eighth day of April 1885, and which the said Charles A. Kehne obtained from William Main by deed dated the Fourteenth day of February 1880 and recorded in Liber A. F. No. 1