

No. 5130 Equity.

Henry Main, and Rebecca Main
his wife, Calvin Main, and Sarah
Main his wife, George Main, and
Mary Main his wife, Ida Cutsack
and Abram Cutsack her husband
Plaintiffs

vs

John Stein, Daniel Derr, and John D
Keller, Administrator of William Keller,
deceased, Defendants

No. 5130 Equity
In the Circuit Court
for
Frederick County,
as
a Court of Equity.

Bill of
Complaint

To the Honorable the Judges of said Court, Your Orator complaining say -
1. That on or about the eighteen hundred and eighty-five a certain John
Main late of Frederick County departed this life intestate leaving the following
heirs - at-law, namely, a widow Martha Main, a son Henry Main who
is married, and the name of whose wife is Rebecca Main, a son, Calvin
Main who is married, and the name of whose wife is Sarah Main, a
son George Main who is married, and the name of whose wife is Mary Main,
a daughter Ida now the wife, of Abram Cutsack, all of whom are adults
residing in Frederick County, and except said widow are Plaintiffs in this
cause. And leaving also surviving him a Grand-son John Stein, who is
an infant residing in Frederick County, and the son, of Fannie, a deceased
daughter, of said John Main who was married to Daniel Stein, who
is, also, deceased -

2. That said John Main, deed seized, and possessed, of certain real estate
situated in Frederick County, described in a deed from Edward Getzen-
danner and Daniel Getzendanner Executors, of the Last Will, of Daniel
Getzendanner deceased to said John Main, a certified copy whereof is here-
with filed as part hereof marked Exhibit No. 1

3. That on the twenty-sixth day, of May in the year Eighteen Hundred
and Seventy Six said John Main, and Martha Main his wife executed and
delivered to William Keller, and a certain Daniel Derr, a Mortgage upon
said real estate to indemnify them from loss by reason of their having signed
a certain note for said John Main a certified copy, of which Mortgage is
herewith filed, as part hereof marked Exhibit No. 2.

4. That a portion of the Original Mortgage claim still remains unpaid

5. That said Daniel Derr is an Adult residing in Frederick County and
said William Keller is deceased, and a certain John D. Keller who is
an adult residing in Frederick County is his only resident Administrator

6. That said real estate cannot be divided without loss and injury to the parties
interested, and that a sale of said real estate should be made under the
order of Your Honorable Court and the proceeds appropriated to the payment of said
Mortgage debt, and the balance distributed among the widow, and heirs-at-law
of said John Main in proportion to their respective rights -

7. That it will be to the interest and advantage of all parties concerned in said
real estate adult, and infant that the same be sold, and the proceeds distributed among
the parties according to their respective rights, and to invest
that portion of the proceeds of sale belonging to said infant in some productive fund
for his benefit, Your Orator pray for the following relief, 1. That a decree may
be passed for the sale of said real estate, and that the money arising from such