

No. 5344 Equity

improvements made to the buildings, the home of said Susan A. E. Marriott, and said Trust Funds are no longer available to pay said four hundred dollars to the Plaintiffs, all of which will fully appear by reference to the proceedings in said No. 5327 Equity and which are proposed to be taken, and considered as part of this Bill of Complaint, as fully as if copies thereof were filed herewith, as Exhibits hereto -

7 - That said house and lot was devised to said Susan A. E. Marriott by the Will of said Salome Friday upon the condition that said Susan A. E. Marriott should pay the Plaintiffs the sum of four hundred Dollars, and upon her failure to pay the same said devise to her either failed and said house and lot became a part of the estate of said Salome Friday of which she died intestate, and passed by descent to her heirs at law, or said Susan A. E. Marriott took a life estate under said Will to said house and lot to go to her children after her death, subject to a charge upon the same of four hundred dollars in favor of the Plaintiffs, and in either event the Plaintiffs are advised they are entitled to have said real estate sold by decree of Your Honorable Court -

8 - That the only heirs at law of said Salome Friday are the Plaintiffs Frederick Whip Friday and Louisa Blanche Friday, the only children of John Milton Friday a son of said Salome, and the said Susan A. E. Marriott, a daughter.

9. That said Susan A. E. Marriott is a Widow, and has nine children viz - May Frances S. Marriott, Lilly Catharine Marriott, Nelly Edith Marriott, Norsey Marriott, Mary E. Marriott, Nannie Virginia Marriott, Grace Amanda Marriott, Howard Lilar Wilburn Marriott, and Ruth Marriott, all of whom reside in Frederick County, and all of whom are infants under the age of twenty one years. -

10 - That said sum of four hundred dollars has never been paid and whether it is due to the Plaintiffs and a charge on said real estate, or whether said Plaintiffs have an undivided interest in said real estate as heirs at law of said Salome Friday it would be to their interest to have said real estate sold and the said sum of four hundred dollars paid them out of the proceeds, or the proceeds divided between them and said Susan A. E. Marriott according to their respective rights. And the Plaintiffs by their said next friend prays for the following relief -

1st That said Will of said Salome Friday be construed by Your Honorable Court, and by Your Honor, determined whether the Plaintiffs are entitled to four hundred Dollars as a charge upon said real estate, or whether they are the owners of the undivided one half of the same as heirs at law of said Salome Friday -

2 - That said real estate may be sold by a Trustee to be appointed by Your Honorable Court for that purpose and the proceeds divided among the parties entitled, according to their respective rights.

3 - That process in the usual form may be issued for the defendants named in this case, all of whom are residents of Frederick County and all of whom are infants except said Susan A. E. Marriott, who is an adult.

4 - That the Plaintiffs may have all such other and further relief as the nature of the case shall require, and Your Honor shall deem just

Milton G. Ames - Solicitor for Plaintiffs -

Exhibit 22