No. 5347 Equity.

George B. Wamer, David M Wamer and John J Putman.
— vs —
Annie E Wamer, Esta Bell Wamer and Robert Pattingall

No 5347 Equity.
In the Circuit Court for Frederick County, sitting as a Court of Equity.

The Bill of Complaint of George B Wamer, David M Wamer, and John J Putman of Frederick County Maryland, respectfully represents unto Your Honor—

1st. That several months since in the Year Eighteen Hundred and Eighty Seven, One John W. Wamer of Frederick County, Maryland, departed this life intestate, seized and possessed of certain Real Estate, situated in said Frederick County and which is fully described in a deed for the same, a certified copy of which, as recorded among the Land Records of Frederick County, is herewith filed, marked Exhibit No. 1 to this Bill of Complaint, which Exhibit with all other Exhibits herewith filed, it is prayed may be taken and considered as a part hereof as fully as if herein inserted in ~~words and~~ figures.

2nd. That the said John W. Wamer left surviving him, a wife named Annie E Wamer and a daughter named Esta Bell Wamer, who is an infant under twenty one years of age, and both of whom reside in Frederick County, Maryland.

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3rd That the said John W Wamer in his lifetime, in order to secure unto one Robert Pattingall of Frederick City, Maryland the payment of the sum of seven hundred and fifty Dollars in conjunction with his said wife Annie E. Wamer executed a Mortgage of said Estate, described in Exhibit No 1. to said Pattingall, a certified copy of which Mortgage is herewith filed as Exhibit No 2 to this Bill. which Mortgage is still unpaid.

Exhibit No

4th. That the said John W. Wamer left a small Personal Estate, which is totally insufficient to pay his debts, and that at the time of his death, he was indebted unto one Henry Lorentz in the sum of Seventy four dollars for which indebtedness he gave his promissory note on the 7th day of February 1887 for six months, on which note, the Plaintiffs were security, as is witnessed by said promissory note herewith filed as Exhibit No 3. to this Bill, and which note at its maturity was paid by the Plaintiffs and assigned by said Lorentz to them, which assignment appears on the Back of said Exhibit No. 3.

5th. That the said John W. Wamer at the time of his death was largely indebted unto other parties which remains unpaid, as is the indebtedness due on Exhibit No. 3. And his Personal Estate being largely insufficient to pay said debts, and being totally Insolvent, the plaintiffs have the right to have the real Estate described in Exhibit No. 1. sold for the purpose of paying said debts.

6th That the Plaintiffs will hereafter file a certified copy of said indebtedness due by said John W Wamer outside of the plaintiffs Claim and a certified statement of the Personal Assets of said John W Wamer, as contained in the records of the Register of Wills of Frederick County where said personal estate is being administered by Plaintiffs George B Wamer as administrator, said Copy and statement being marked Exhibit 4 to the Bill of Complaint.

7th The Plaintiffs further represent that they ask for the following relief in the premises — 1st. That a decree may be passed for the sale of said real