No. 7128 Equity.

Bill of Complaint

and that any deficiency in the said personal estate out to be supplied by sale of the real estate of the said William H. Baltzell, before mentioned.

7. That at the time of the death of the said William H. Baltzell, the said William H. Baltzell was indebted to your petitioner Lorenzo E. Mullinix in the sum of Thirty Six Dollars and seventy one cents ($36.71) and to your petitioner George E. Shipley, two different sums, the one amounting to Two Hundred and Eight Dollars and and Fifty Six cents (208.56) and the other amounting to Ninety seven Dollars and eighty one cents ($97.81) all of which will appear by reference to exhibit Nos. 3. 4 and 5 respectfully, herewith filed,

8. That then being an insufficiency of the personal estate to pay the entire amounts due your respective petitioners, your petitioners have the right to have the same paid out of the proceeds of sale of the real estate of which the said William H. Baltzell died seized and possessed,

9. That on October the 8th A.D. 1898, the said William H. Baltzell now deceased, and Josephine V. Baltzell, his wife, executed a deed of Mortgage conveying the property, hereinbefore mentioned to the Frederick Town Savings Institution, a body corporate securing the payment of their joint and several promissory note for the sum of Five Hundred dollars ($500.00) as will appear by reference to a certified copy of said Mortgage as the same is recorded among the land Records of Frederick County, Maryland, in Liber D. H. H. No. 4, folio 269, which said certified copy is herewith field marked "Exhibit No. 6.

Exhibit

That said mortgage is now due, owing and unpaid, together with accumulated interest since October 8th A.D. 1899.

10. That the said real estate estate is not susceptible of division among the above mentioned owners thereof, and that it cannot be divided without great loss and damage, that it would be to the interest and advantage of all the said parties to have the same sold and the proceeds arising therefrom after the payment of the mortgage debt and the interest due thereon, and all of them costs, charges and expenses, attending the sale of said real estate, and of the claims of your Petitioners in full divided among them according to their respective interests.

And your Petitioners pray for the following relief.

(1.) That the said Josephine V. Baltzell, Administratrix of the goods and chattels of the said William H. Baltzell, deceased, may set forth a full and particular account in your Honorable Court of the personal estate of the said intestate and the amount and particulars thereof possessed by him, and what part thereof is now in her hands, and that an account thereof may be taken under the direction of your Honorable Court.

2. That a decree may be passed directing said real estate to be sold, and after the payment of all costs, charges and expenses attending said sales, of the Mortgage debt and interest upon said real estate, and the claims of your petitioners as well as the claims of all other creditors of the said William H. Baltzell remaining unsatisfied, the proceeds to be divided among the aforementioned owners thereof.

3. That your Petitioners may have all such other and further relief as the nature of there case may require.

(1.) That a writ of Subpoena may issue in the usual form against the said Josephine V. Baltzell, Administratrix of the goods and chattels of William H. Baltzell, deceased. Josephine V. Baltzell individually, Josephine Key, all of Frederick County and Rose Jamison and Jamison her husband.