

Decker, a sister who departed this life December 18th, 1910, leaving a infant child whose name is Blaine Decker aged 8 years, both of whom reside in the City of Baltimore, Maryland.

111.

That at the time of the death of the said Roy E. Benjamin, there was still due and unpaid a certain mortgage which was executed by him in his lifetime on August 15th, 1903 for the sum of \$1800.00 to The Myersville Savings Bank, a body corporate of the State of Maryland, as the same will by reference to certified copy of said mortgage herewith filed, fully and at large appear, as the same is recorded in Liber D.H.H. No. 18, folio 560, etc, among the aforesaid Frederick County Land Records, said copy being marked "Exhibit Mortgage" and upon inquiry at the said Myersville Savings Bank, your complainants have been informed that the interest has been due on said mortgage since August 15th, 1915.

iv.

That said property named in said deed marked "Exhibit Deed" is badly in need of repairs and would require considerably money to put it in proper condition and consequently it is rapidly depreciating in value; that it is not susceptible of division among the aforesaid mentioned owners thereof and it could not be divided without great loss and damage, and therefore it would be to the best interest and advantage of all the parties in interest, especially the infant to have the same sold under a decree of your Honorable Court, and the proceeds arising therefrom, after the payment of all costs and charges and expenses attending the sale of said real estate, and the payment of the mortgage due The Myersville Savings Bank, divided among the parties in interest.

TO THE END THEREFORE, that the said real estate may be sold under a decree of your Honorable Court, and that the proceeds of said sale, after the payment of all costs, charges and expenses of these proceedings, and the mortgage note due the Myersville Savings Bank, a body corporate for and on account of its mortgage, be divided among the parties in interest, and for such other and further relief as the nature of their case may require.

May it please your Honors to grant unto your Complainants an Order of Publication directed to the said Georgia McCann and William, J. McCann, her husband, both non-resident defendants, and adults, notifying them of the object and substance of this Bill, and commanding them to be and appear in your Honorable Court on some day certain to be named therein, to answer the Bill, and to abide by and perform such decree as may be passed in the premises. And may it further please your Honors to grant unto your Complainants the writ of subpoena directed to the said Livinia E. Benjamin, an adult, residing at No. 1609 Jackson Street, Baltimore City; and William Decker, an adult residing at No. 1916 Walbrook Avenue Baltimore City, and Blaine Decker, infant, all residents of the State of Maryland, commanding them and each of them to be and appear in your Honorable Court on or before some certain day to be named therein, either in person or by solicitor, to answer the premises and abide by and perform such decree as may be passed therein. And may it further please your Honors to grant the writ of subpoena directed to George W. Bittle, Treasurer of The Myersville Savings Bank, a body corporate of Frederick County, State of Maryland commanding him to be and appear in your Honorable Court on or before some certain day to be named in said writ, to answer the premises and abide by and perform such decree as may be passed herein. And as in duty bound etc.,

Filed Dec. 6' 1915.

Reno S. Harp,
Solicitor for Complainants.

"EXHIBIT DEED"

At the request of Roy E. Benjamin the following Deed is received for record & recorded Aug. 18 1903 at 12-0'clock M. TEST Doughlass H. Harett, Clerk.

This Deed made this 8th day of August in the year A.D. 1903, by us George W. Wachtel and Reno S. Harp Assignees of the Myersville Savings bank, a body corporate, assignee of John Herzinger, mortgagee of George W. Benjamin and Lavinia E. Benjamin, his wife, and Roy E. Benjamin, Witnesseth whereas at a public sale made on the premises in the town of Brinswick, Frederick County, State of Maryland, on the 28th day of March A.D. 1903 at the hour of ten O'Clock A.M. by the said George W. Wachtel and Reno S. Harp, assignees of the Myersville Savings bank assignee of John Herzinger, Mortgagee, of George W. Benjamin and Lavinia E. Benjamin, his wife and Roy E. Benjamin in pursuance of a power and authority vested in them by a certain mortgage from the said George W. Benjamin and Lavinia A. Benjamin his wife, and Roy