

SEVENTH: That on April 1, 1910, the said R.B.Hays Mohler and Leona Mohler, his wife, executed a mortgage on said real estate to the Franklin Savings Bank, a body corporate, of Frederick, Maryland, to secure the payment of a promissory note signed by them for the sum of Eleven Hundred (\$1100.00) Dollars, and which said mortgage is recorded in Liber H.W.B.No.291, folio 414-415, one of the Land Records of Frederick County, a certified copy of which said mortgage is herewith filed as part hereof, Marked "Exhibit B L.M.No.2", and the said Franklin Savings Bank, a body corporate, as the mortgagee is hereby made a party defendant to these proceedings.

EIGHTH: That on December 19, 1916, there was entered in the Circuit Court for Frederick County, at the suit of the State of Maryland, use of James F. Leather, judgment against Hays B. Mohler, Harry E. Mohler, and Laura V. Mohler (the said Mary E. Mohler and Laura V. Mohler, being the brother and mother of the said Hays B. Mohler) said judgment being entered for the sum of Nine Hundred (\$900.00) Dollars to be released on the payment of One Hundred and Sixty (\$160.00) Dollars and which said judgment, according to the Docket Entries afterwards on the 28th day of March 1917, was entered to the use of Annie Mohler and Gertrude Mohler, (the validity of which said assignment your complainant does not now concede), which said judgment was recorded in Transcript Docket No. 17, folio 273, one of the Land Records of Frederick County, and a certified copy of which together with the Docket Entries is herewith filed as part hereof, marked "Exhibit B.L.M.No.3", and the said Annie Mohler and Gertrude Mohler, assignees, are made parties defendants to this proceeding.

NINTH: That your Complainant is informed and believes that Laura V. Mohler, one of the defendants in said suit of Leather vs. Mohler, really paid and satisfied the judgment, and your complainant while making said assignees parties to this proceeding, hereby reverses the right to question the legality of said assignment and to resist the payment of any money to the said Gertrude and Annie Mohler, which question will arise when the proceeds of sale are about to be distributed.

TENTH: That said real estate herein described, and of which the said R.B.Hays Mohler, died seized and possessed, consists of a dwelling house and lot, together with a stable, situated as aforesaid, in Frederick City, Maryland, and said property is not susceptible of partition or division among the parties interested without great loss and injury, and it would be to the benefit and advantage of all the parties concerned for said real estate to be sold under a decree of your Honorable Court in the usual way and in accordance with the provisions of the law applicable to such cases.

WHEREFORE, Your complainants pray for the following relief:-

1. That a decree may be passed by your Honorable Court, directing the sale of said real estate, described in this bill of complaint, appointing a trustee or trustees for said purpose, and distributing the proceeds arising from said sale among the parties entitled thereto according to their respective interests.
2. That your complainant may have all such further and other relief as the nature of the case may require.

And your complainant prays for the following process:

That the writ of Subpoena may issue in the usual form, commanding the Sheriff of Frederick County to summon Clement Mohler, Margaret Mohler, Thelma Mohler, and Hays Gordon Mohler, all infants, (the said Clement, Margaret and Thelma being at present with their grandmother, Laura V. Mohler, who resides on West Patrick Street, Frederick Maryland and the said Hays Gordon Mohler being with his mother, Bessie Lee Mohler, who lives at 317 Madison Street, Frederick Maryland) and also to the Franklin Savings Bank, a body corporate, mortgagee and Annie Mohler and Gertrude Mohler, assignees etc. and Bessie Lee