No.10320, Equity,

Bill of Complaint,

Ann Mary Ditzler, and John William Ditzler,infants, by their father and Next Friend John A,Ditzler, and John A, Ditzler,Irma B, Ditzler, his wife,

Vs,

Anna mary Ditzler, Edward Daniel Ditzler, and John William Ditzler, Infants, and The Frederick Building Association of Frederick County, Md, a Body Corporate,

No, 10320, Equity,
In the Circuit Court for Frederick county, In Equity,

To the Honorable,The Judges ofsaid Court,

The Bill of Complaint of Anna MAry Ditzler, Edward Daniel Ditzler, and John William Ditzler,Infants,by their father and John A,Ditzler and Irma B, Ditzler, his wife,

I, That Ellen T Ditzler, late of Frederick County, Maryland, deceased, died intestate on or about August 19th, 1919, seized and possessed, of a tract of land, with improvements thereon, situated in Tuscarora District,in Frederick County, State of Maryland,which is more particularly described in a deed from Seymore McBride and Ada S, McBride,his wife, to Ellen T Ditzler, dated on the 8th day of April,in the year 1916, and recorded in Liber, No,316,folio 430, One of the Land Records of Frederick County, Which said Deed is filed herewith, filed marked, Exhibit A,and together with all other Exhibits herewith filed is prayed to be taken and considered as a part of this Bill of Complaint,

2, That the said Ellen T, Ditzler,left surviving her, her husband,the said John A, Ditzler who has since married, to the said Irma B, Ditzler, and both are non-residents of the State of Maryland, and reside in the State of North Carolina; also the following infant Children,to whom the said real estate descended and vested in, as tennants in Common, namely; Anna Mary Ditzler, aged Nine years Edward Daniel Ditzler,aged five years, both of whom are Non-residents, of the State Of Maryland, and reside in the State of North Carolina, and John William Ditzler, aged eighteen months,who is a non-resident, and resides in the State of Pennsylvania,

3- That the said real estate descended to and vested in the above named parties, as tennants in Common, as aforesaid, subject to a Mortgage from the said John A,Ditzler, and Ellen T, Ditzler, his wife , to the Frederick Building Association, of Frederick County, Md, a body Corporate, which said mortgage is for the sum of Three Hundred Dollars, ($300,00) sum of which said sum has been paid, leaving a balance due of ------- and is dated on the 8th day of April 1916, and duly recorded in Liber No,317, folio 527, one of the Land records of said Frederick County,

4- That on the 12th, day of February inthe year 1921, Your Orator the said John A,Ditzler, acting on behalf of himself, and all other parties, of interest in said Real Estate,Contracted in writing with a certain John H, Gray, and Jessie T Gray, of Washington D,C, subject to the ratification of Your Honorable Court, to sell to the said John H, Gray and Jessie T, Gray the said Real estate,hereinbefore described,at and for the sum of Seven Hundred Dollars($700,00 to be paid according to the terms of said Contract, upon the execution and delivery of a good and Sufficient Deed to said Grantees, All of which will more fully appear by a Copy of said Contract of sale, filed herewith, as a part hereof, and marked Exhibit B,

5- That the said sum of $700,00 is a fair and reasonable price, for the said Real Estate, so sold, and as much as your Complainants, Could reasonably expect to obtain ,for the same, and the said Real estate Cannot be divided without loss and injury, to the parties interested and it would be, for the interest and advantage of the parties interested therein,both the Infants, as well as the adults, for the said contract of sale Exhibit B, to be Confirmed by your Honorable Court, and the proceeds of sale, after the payment of said Mortgage, lien and interest thereon, to be divided amongst the parties entitled therein according to their respective rights and interests,

Wherefore, Your Complainants pray Your Honorable Court to ratify and Confirm said Contract of sale, and appoint some suitable person As Trustee, to Convey the said Real Estate, to the said John H, Gray, and Jessie T,Gray, upon their Complying with the terms of said Contract as aforesaid, and that the proceeds of sale, may be applied,First to the payment of the Mortgage, lien of the said Frederick Building Association, of Frederick County, Md, a body Corporate, and the interest due thereon; Second,That the balance of the proceeds of said sale may be divided amongst the parties entitled thereto, according to their respective rights, and interests, under the direction of your Honorable Court, the interests or Shares, of the said Infants, to be invested for their benefit, and for such other and further relief as the nature of their case may require,

And Your Complainants pray for the following process,;

That the Writ of Subpoena, in the usual form may be issued out of your Honorable Court, to the said The Frederick Building Association of Frederick County, Md, a Body Corporate, of the State Of Maryland, Commanding it to be and appear in Your Honorable Court, on some Certain