

No. 10207, Equity,

Executors has ever qualified as such,

4- That under and by virtue of the terms of said Will the said Charles M, Harbaugh, Ruth May Harbaugh, and Carrie Helen Harbaugh, who are the Infant Childre of Laura May, harbaugh, a deceased daughter of Margaret Rebecca Harbaugh who died in and about the year 1911, and prior to the death of the said Margaret Rebecca Harbaugh are bequeathed the sum of One Dollar Each, and the rest and residue of her said estate was to be divided equally among the said William^M Harbaugh, Eula H, Brown and Harry O, Harbaugh being three Children of the said Margaret Rebecca Harbaugh, living at the time of her death, and No, power of sale, to the Executors either expressed or implied is contained in said Will,

5- That the said devisee William H, Harbaugh is of full age, unmarried and resides near Waynesboro in Franklin County, State of Pennsylvania; that the said devisee Eula H, Brown is ^{un}married and resides near Waynesboro, in Franklin County, State of Pennsylvania, that the said devisee Eula H, Brown is married to Elbridge O, Brown, both being of full age, and residing in Frederick County, Maryland, that the devisee, Harry O, Harbaugh, is and infant, aged about 18 years and resides in the State of Pennsylvania, is temporarily residing in Washington County, Maryland, That the legatees Charles M, Harbaugh, is and Infant, about 14 years of age, and resides in Frederick County, Maryland, That the legatee Ruth May Harbaugh is an Infant and resides in Washington County, Maryland; That the legatee Carrie Helen Harbaugh is an infant about 10 years of age and resides in Washington County, Maryland,

6, That the said real estate is owned by the said devisees and legatees as tenants in common, each having an undivided interest therein, according to the tenor of said last will of Margaret Rebecca Harbaugh, as set out in Exhibit No, 3, subject to the Mortgage lien claim of the Smithsburg Bank of Washington County, Assignee for One Thousand Dollars, with interest from February 15, 1920, as appears from a certified copy of said Mortgage, filed herewith as part hereof, marked Exhibit No, 4 and the interest of the said William H, Harbaugh, being subject also to a Judgment of or in the sum of Five Hundred Dollars, given by the said William^H Harbaugh, to the said Smithsburg Bank Washington County, a certified copy of which said judgment being recorded in Liber No, 128, folio 651, one of the Land Records of Washington County, a certified copy of which said judgment being recorded in the Office of the Clerk of the Circuit Court of said Washington County,

7- that on the 30th day of June in the year 1920, your Orator William H, Harbaugh, acting on behalf of himself and all other parties of interest, in said real estate contracted in writing with a certain Ivan Brown subject to the ratification of your Honorable Court, to sell to the said Ivan Brown, the said real estate here in before described, at and for the sum of Thirty one hundred and fifty dollars, the sum of Five Hundred dollars of the purchase money being paid, to the firm of Riddleberger and Stottlemeyer, agents for your Orators, upon the execution of said contract, as provided therein, the balance to be paid in the 21st day of April 1920, or when deed is made, at which time and upon the said payment being made said contract shall be consummated by the conveyance and delivery of said property to the said purchaser. All of which will more fully appear by a copy of the said contract, of sale filed herewith as part hereof marked Exhibit No, 6,

8-. That the said sum of Thirty One Hundred and Fifty dollars 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 adults for the said contract of sale Exhibit No, 6, to be confirmed by your Honorable Court, and the proceeds of said sale after the payment, of the said mortgage lien to be divided among the parties according to their respective interests, the said judgment to be paid out of interest or share of the said William H. Harbaugh

WHEREFORE your complainants, pray your Honorable Court to ratify and confirm said contract of sale of sale and appoint some suitable person as Trustee, to convey said property, or real estate to the said Ivan Brown, upon his complying with the terms of said contract as aforesaid, and that the proceeds of said sale may be