No. 10449 Equity.

(F) A son Louis Frizzell an infant under twenty one years of age and resides in Emmitsburg in the State of Maryland.

(G) A Son, Flautt Frizzell an infant under twenty one years of age who resides in Emmitsburg in the State of Maryland.

3. That Rosa J. Annan, Anne E. Horner, J Stewart Annan, Edgar L. Annan, and Andrew A. Horner, trading as Annan Horner and Company, did on May 25th, 1920, enter up a judgment in Frederick County for the sum of $2375.00 and costs against the said Enoch L. Frizzell which said judgment the said Annan Horner & Co. has assigned to the Baltimore Commercial Bank of Baltimore, a body corporate, which is still open on the record, but there seems to be a, ple proceeds in the personal estate of the said Enoch L. Frizzell deceased, to satisfy and pay the same.

4. That the said real estate is not susceptible of division amongst the said parties in interest without material loss and injury and espacially to that of the infants to whom as well as all others it would be a benefit and advantage that the said real estate be sold under a decree of your Honorable Court and the proceeds thereof distributed amongst the respective parties in interest.

To the end therefore,

1. That a decree may be passed for the sale of the said real estate.

2. That the proceeds of said sale may be distributed amongst the respective parties in interest according to their respective rights and interests.

3. That your Orator may have such other and further relief as their case may require.

May it please your Honors to grant unto your Orator the Writ of Sub poena, directed to the said Nimrod Frizzell, Louis Frizzell and Flautt Frizzell all infants under the twenty one years of age and all residing in Frederick County, State of Maryland, commanding them and also the Baltimore Commercial Bank of Baltimore, a Corporation of the State of Maryland, commanding it to be and appear in this Court at some certain day named therein, and answer the premises and abide by and perform such decree as may be passed therein.

And as in duty bound &c.,

(Filed June 6, 1922)

Vincent Sebold
Solicitor for Plaintiff.

EXHIBIT "1" DEED.

At the request of Enoch L. Frizzell the following Deed is received for Record and Recorded May 3rd, 1897 at 10 O'clock 50 Minutes A.M. Test;- John L. Jordan, Clerk.

THIS DEED, made this Thirteenth day of March in the year Eighteen hundred and ninety Seven by Jacob Smith and Annie Smith his wife of Frederick County State of Maryland.

WITNESSETH. that for and in consideration of Fourteen hundred and fifty dollars ($1450 00) we the said Jacob Smith ahd Annie Smith his wife do grant in fee simple unto Enoch L. Frizzell of the County and State aforesaid all that lot or parcel of ground situated and lying on the North side of the Main Street in Emmitsburg Frederick County in the State of Maryland and designated on the Plot of said town as lot Number 89 and bounded on the East by an alley, on the West by the property of the heirs of Samuel Motter deceased, and running back to an alley, Together with the improvements thereon and the rights and appurtenances thereto belonging or appertaining, and being the same real estate that was conveyed to the said Jacob Smith by Rev. M. H. Courtney as Chairman of the Board of Trustees, and the Trustees of the Methodist Episcopal Church of Emmitsburg Frederick