TO THE HONORABLE,THE JUDGES OF SAID COURT;

The Petition of Martin J.W.Witmer and George Betts,two of the defendants in the above cause, respectfully represents;

1. That on January 6th,1926,the bill of complaint in the above cause was filed for a sale of the real estate mentioned therein for the purpose of partition,and on the 25th day of August your petitioners filed their petition asking the Court to pass an order converting said proceedings into a creditors' bill,and for the sale of said real estate etc.,and referred to the will of the late David C.Witmer,filed in said cause as creating a life estate in the testator's widow,Lydia A.Witmer,and the remainder in their children.

2. That under a proper construction of said will,your petitioners believe that said widow took a fee simple estate instead of a life estate,and that now since her death the same children mentioned in the proceeding bill and petition,take the entire estate,subject to the dents and incumbrances created by the said Lydia A.Witmer.

Wherefore your petitioners pray for leave of Court to amend or file a new petition alleging said real estate to be the property of said Lydia A.Witmer,instead of the property of David C. Witmer,the former owner.

And as in duty bound,etc.

H.K.DeLauter
Solicitor for petitioners.

Upon the aforegoing petition,it is ordered this 27th day of July,1927,by the Circuit Court for Frederick County,in equity,that leave of Court be and is hereby granted the petitioners to amend or file a new petition for the conversion of these proceedings into a creditors' bill, and alleging the real estate to be the property of Lydia A.Witmer,instead of the property of David C.Witmer.

Glenn H.Worthington

(Filed July 27,1927)

(Petition to have proceedings converted into a Creditor's Bill.)

Annie L.Williams et al.
Vs.
Wilmer M.Witmer,et al.

" " " " " "

No.11,256 Equity.

----------0----------

TO THE HONORABLE,THE JUDGES OF SAID COURT;-

The petition of Martin J.W.Witmer (also called William M.Witmer) and George Betts,tow of the defendants in the above cause,respectfully represent;

1. That David C.Witmer,late of Frederick County,departed this life,testate,on or about the _____ day of_____ having by his last will and testament devised the real estate mentioned in these proceedings to his widow,Lydia A.Witmer,as appears from a certified copy of said last will and testament a certified copy of said last will and testament duly foled in these proceedings and marked "Exhibit No.1".

2. That the said Lydia A.Witmer departed this life,intestate,on or about the _____day of March,1925,seized and possessed of the real estate mentioned in said will and these proceedings,being several tracts of land located near Wolfsville,in said Frederick County,containing in the aggregate 35 acres,to said bill of complaint filed in this cause,and of all that tract of mountain land situate in Washington County,Maryland,containing 25 acres of land,more or less and described in "Exhibit No.4,to said bill of complaint.

3. That the said Lydia A.Witmer,left surviving her at the time of her death,as her only heirs at law,the following children,to whom the said real estate descended,to wit;- (1) a daughterAnnie L.Williams,whose husband's name is William S.Williams; (2) a son,Martin J.W.Witmer, whose wife's name is Mary Witmer; all residents of Frederick County,Maryland, (3) a daughter Edith Bets,whose husband's name is George Betts; (4) a son Haighman Witmer,whose wife'sname is