

No.2 to this Petition.

3. That the said Administration account it will appear that your Petitioner has over paid the personal estate of the said Ella O.Weaver which came into his hands to be administrated by the sum of \$207.87, and that the debts which are mentioned in said account, and for the payment whereof allowance are made therein to your Petitioner as Administrator aforesaid, were debts due and owing by the said Ella O.Weaver at the time of her death and for her funeral expenses.

4. That all the said real estate of which the said Ella O.Weaver died seized and possessed, and which is described in the deed "Exhibit A" to the Original Bill of Complaint filed in this case has been sold or attempted to be sold, at public sale, at and for the sum of \$5075.00, under a decree of your Honorable Court passed in this cause on the 28th day of May, 1928, and upon the final ratification of said sale was whatever interest, if any, the Trustees could convey, conveyed to the purchaser thereof Peter E. Bussard by deed dated June 8, 1928, and recorded in Liber 336, folio 444, one of the Land Records of said Frederick County, a certified copy of said deed being filed herewith as a part hereof and marked Exhibit B, by the Trustees named in said decree who now hold said purchase money.

That the said sum is a fair and reasonable price for said property and all that it could be expected to sell for; but due to the fact that certain descendants of the deceased children of deceased brothers and sisters of the said Ella O.Weaver, as hereinafter named, were not made parties to the Original Bill of Complaint filed in this cause, your Petitioner is advised and charges that said decree, sales and deed made paramount to said Decree should be vacated and that said real estate be re-sold under a decree of your Honorable Court, and that it would be to the best interest and advantage of all the parties interested, especially the infant Defendants to this suit, to sell the said real estate to the purchaser thereof at the former sale, at the original purchase price of \$5075.00, if it is possible to do so.

5. That in the Original Bill of Complaint for partition, filed in this cause on February, 22, 1928, the living brothers and sisters and the children living of deceased brothers and sisters of the said Ella O.Weaver, were named as her only heirs at law, as follows;

Fannie O.Sanner, (unmarried), a daughter of Vincent Sanner, a deceased brother of the said Ella O.Weaver. Annie S.Groff (divorced) a daughter of Tabitha Herring, a deceased sister of the said Ella O.Weaver. D.Grayson Sanner (unmarried) Alma P.Lease (widow) Hennie G.Lighter, whose husband is Edward M.L.Lighter, children of Daniel G.Sanner, a deceased brother of the said Ella O.Weaver. Lloyd M.Kepler, whose wife is Cornelia F.Kepler, M.Luther Kepley, whose wife is Cecelia F.Kepler, Charles L.Kepler, whose wife is Annie V.Kepler, Alonzo C.Kepler, whose wife is Mary E.Kepler, Lola L.Doub, whose husband is George L.Doub, children of Amanda E.Kepler, a deceased sister of the said Ella O.Weaver. D.Vincent Beachley, whose wife is Alma G.Beachley, E.Walter Beachley, whose wife is Mary L.Beachley. Tabitha O.Beachley (unmarried) Norma S.Ahalt, whose husband is Albert M.Ahalt, Luella Snook, whose husband is John C.Snook, children of Emma Beachley a deceased sister of the said Ella O.Weaver. Myron E.Smith (unmarried) William Smith, whose wife is Margaret Smith, Estelle E.Gaver, whose husband is Charles L.Gaver, Rufus Smith, whose wife is Florence Smith, Howard Smith, whose wife is Mollie Smith, children of Mary Smith, a deceased Sister of the said Ella O.Weaver. Lucy Burrier, whose husband is Robert Burrier, Addie Biser, whose husband is William Biser, William G.Miller, whose wife is Mildred L.Miller, John V. Miller, whose wife is Jennie E.Miller, and Clifford G.Miller, whose wife is Ellen L.Miller, children of Susan Miller, a deceased sister of the said Ella O.Weaver. Charles V.Sanner, whose wife is Nettie Sanner, H.Melanchton Sanner, (widower) Milton Sanner (unmarried), Roger Sanner, whose wife is Norma Sanner, Georgia Baugh (widow) Florence Beck, whose husband is Charles T.A.Reck, and Alta Hartsock, whose husband is Ernest A.Hartsock, children of John Sanner, a deceased brother of the said Ella O.Weaver/ All of the above including Peter E.Bussard are hereby made parties defendant to this suit.