

granting and conveying unto said Mortgagee all of the real estate described in said "Exhibit A", and also in "Exhibit B", as will more fully and at large appear by reference to a duly certified copy of said Mortgage filed herewith as a part hereof and marked "Exhibit D", and which said Mortgage yet remains unpaid.

FOURTH. That on the date March 30th, in the year 1929, said Mortgagee, The Smithsburg Bank of Washington County, assigned said Mortgage, "Exhibit D" unto The Central Trust Company of Maryland, as will appear by reference to said duly certified copy of said Mortgage, "Exhibit D".

FIFTH. That the said, The Central Trust Company of Maryland, and its assets, is now, and has been since the date September 3rd, in the year 1931, in the hands of George W. Page, Bank Commissioner of the State of Maryland, Receiver for The Central Trust Company of Maryland, having been appointed by the Circuit Court for Frederick County, Maryland, in Equity, in No. 12,299, on the Docket of said Court.

SIXTH. That your Orators are uncertain if the title as Mortgagee of the real estate described in "Exhibit D" is now vested in The Central Trust Company of Maryland, or in The Smithsburg Bank of Washington County, and are uncertain as to whether the said George W. Page, Receiver of The Central Trust Company of Maryland, or The Smithsburg Bank of Washington County, is the owner of the promissory note secured by said "Exhibit D", and entitled to receive payment for the same.

SEVENTH. That all of the said real estate as described in the several parcels of land above mentioned cannot be divided among all the parties interested therein without loss or injury.

WHEREFORE, your Orators and Oratrices pray your Honors for the following relief:

1st. That your Honors will pass the Decree of your Honorable Court appointing a suitable Trustee or Trustees to sell all of the above described real estate of which Simon Peter Kuhn died seized and possessed, free and clear of any mortgage or other encumbrance thereon, to the end that the net proceeds arising therefrom may be divided among your Orators and Oratrices as their respective interests in said real estate may appear.

2nd. And for such other and further relief to which your Orators and Oratrices may be entitled in the premises.

May it please your Honors to grant unto your Orators and Oratrices the Writ of Subpoena directed to Ray L. Kuhn, infant, and Helen L. Kuhn, infant, residents of Frederick County, Maryland, and Robert H. Kuhn, infant, resident of Washington County, Maryland, and The Central Trust Company of Maryland, with principal office located at Frederick, Maryland, and George W. Page, Receiver of The Central Trust Company of Maryland, resident of Baltimore City, Maryland, and The Smithsburg Bank of Washington County, located at Smithsburg, in Washington County, Maryland, and being the Defendants in the above entitled case, requiring them and either of them to be and appear in your Honorable Court in person, or by guardian, or by solicitor, on some certain day to be named therein and to show cause, if any, they or either of them have, why the relief as prayed for in the above Bill of Complaint should not be granted.

And as in duty bound, etc.

Reno S. Harp
Jacob Rohrback

Solicitors for Plaintiffs.

(Filed January 16, 1933)

"EXHIBIT A"

At the request of Simon P. Kuhn the following Deed is received for record and recorded October 17, 1904 at 9.25 o'clock A. M.

Test: Samuel T. Haffner, Clerk.