

Et

BILL OF COMPLAINT FOR SALE OF REAL ESTATE.

MILDRED R. CULLER, Widow,
 MILDRED L. CULLER, Unmarried,
 EVELYN L.E.CULLER, Unmarried,

VS.

VIOLA H. CULLER and
 HENRY H. CULLER, Infants.

IN THE CIRCUIT COURT FOR
 FREDERICK COUNTY, MARYLAND,
 SITTING AS A COURT OF EQUITY.

No. 12804 Equity.

TO THE HONORABLE JUDGES OF SAID COURT:

Your Petitioners, Mildred R. Culler, Widow; Mildred L. Culler, Unmarried; Evelyn L. E. Culler, Unmarried, by their attorney, Sherman P. Bowers, complaining, say:

1. That Henry Z. Culler, late of Frederick County, Maryland, was, during his lifetime, seized and possessed of the real estate and premises, viz.:-

a. One-half interest in all that piece or parcel of mountain land, situate, lying and being in Ballenger Election District, Frederick County, Maryland, being part of a tract of land called "Filderea", beginning for the part hereby intended to be conveyed at the end of $8\frac{1}{2}$ ps. on the first line of a deed for 9 acres, 2 roods and 25 square perches of land, conveyed unto George L. Ifert by Emory L. Coblentz, Trustee, by deed dated February 23, 1900, and recorded in Liber D. H. H. No. 5, folio 483, one of the land records of Frederick County, said point being also at the end of $8\frac{1}{2}$ ps. on the first line of Lot No. 1, as designated on the Plat marked "Exhibit No. 1" to Report of Sales filed in cause No. 7091 Equity, in the Circuit Court for Frederick County, and running thence according to the bearings about the year 1865, (1) N. 75 deg. E., 10-1/10 ps., (2) N. 36 deg. 47 ps., (3) N. $49\frac{1}{2}$ deg W. 26.8 ps., thence by a divisional line made according to the bearings of the aforesaid date of previous survey (4) S. 15-54/60 deg. W. 61 ps. to the place of beginning, containing 5 acres, 2 roods and 11 square perches of land, more or less, and being one-half interest in the same land and premises described in the deed from William O. Michael and Nannie D. Michael, his wife, unto the said Henry Z. Culler and Kirtz E. Culler, dated January 13, 1905, and duly recorded in Liber S. T. H. 269, Folio 172 &c., one of the Land Records aforesaid.

b. All that parcel of land situate, lying and being in Ballenger Election District aforesaid, and being part of a tract of land called "Muhelheim" and being part of that peace or parcel of land called "Red Springs Mills", containing 1 acre, 3 roods, 28 square perches of land, more or less, and being the same land and premises described in the deed from Catherine R. Culler unto Harry Z. Culler (whose correct name was Henry Z. Culler and who is the same person as Henry Z. Culler herein mentioned), dated November 6, 1913, and duly recorded in Liber H. W. B. 306, Folio 383 &c., one of the Land Records aforesaid.

Your Petitioners file herewith, which they pray shall be taken as a part hereof, certified copies of the three aforesaid deeds, marked respectively, "Exhibit Deed A" and Exhibit Deed B".

2. That, being so seized and possessed of said land and premises the said Henry Z. Culler, departed this life, on the 12 day of June, 1933, leaving as his heirs at law and next of kin the following persons:- Mildred R. Culler, Widow, Mildred L. Culler, Unmarried, Evelyn L. E. Culler, Unmarried, all adults, Viola H. Culler, aged 18 years and Henry H. Culler, aged 15 years, both infants.

3. That the aforesaid real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein as above stated, and that, in order to make division of said interests, it will be necessary that said real estate be sold, and the proceeds thereof divided amongst the parties according to their several interests.

TO THE END, THEREFORE,

(A) That a decree may be passed for the sale of the said real estate.

(B) That the proceeds of sale may be distributed between the parties to this cause according to their respective interests and rights at law.