

Eq

BILL OF COMPLAINT

William J. Smith	"	
	"	
Vs.		No. 12678 Equity
	"	
Clarence Grable, Zella	"	In the Circuit Court for
Grable, his wife, Calvin	"	
Grable, Rose Grable, his	"	Frederick County.
wife, Grayson Grable, Mary	"	
Grable, his wife, Harry	"	
Grable, Wilbur Grable, Nellie	"	
Grable, his wife, George	"	
Grable, Grable,	"	
his wife, and Elizabeth	"	
Grable	"	

TO THE HONORABLE JUDGES OF SAID COURT.

The Bill of Complaint of William J. Smith respectfully represents unto your Honorable Court:

FIRST: That Alice V. Smith, wife of Complainant, died on or about the 23rd day of February, 1933, in Frederick County, Maryland, intestate seized and possessed of all that tract or parcel of land described in a deed from Samuel M. Strine and Laura M. Strine, his wife, containing one hundred forty-five square perches, more or less, and recorded in Liber S. T. H. No. 267, folio 176, one of the Land Records for Frederick County, a certified copy of which is filed herewith marked Exhibit No. 1 to this bill of Complaint, the undivided one-half interest in said real estate having been conveyed to the said Alice V. Smith by Grayson Grable and wife by deed dated September 23, 1911, and recorded in Liber H. W. B. No. 298, folio 190, one of Land Records for Frederick County, a certified copy of which deed is filed herewith marked Exhibit No. 2.

SECOND: That said Alice V. Smith left surviving her the following brothers and nephews and nieces, and your Complainant, William J. Smith, surviving husband, who are her heirs at law and next of kin, and as such entitled to the real estate described in Exhibits Nos. 1 and 2, as tenants in common, all adults, to-wit:

- A brother Clarence Grable, whose wife's name is Zella Grable, and who reside at Waynesboro, Pennsylvania.
- A brother Calvin Grable, whose wife's name is Rose Grable, and who reside at Waynesboro, Pennsylvania.
- A brother Grayson Grable, whose wife's name is Mary Grable, and who reside in Washington County, Maryland.

and the following nephews and nieces, children of a deceased brother, Charles Grable, who died about thirty years ago, to-wit:

- A nephew, Wilbur Grable, whose wife's name is Nellie Grable, and who reside near Edgemont, Washington County, Maryland.
- A nephew, Harry Grable, unmarried, who resides at Thurmont, Maryland.
- A nephew, George Grable, whose wife's name is Grable, and who reside at Mountindale, Frederick County, Maryland.
- A Niece, Elizabeth Grable, unmarried, who resides at Thurmont, Maryland.

THIRD: That said property consists of one hundred forty-five and three-fourths square perches of land, more or less, improved with a dwelling house and is incapable of partition or division amongst the parties entitled without great loss and damage and that it would be to the benefit and advantage of all parties that said real estate be sold, and your Complainant is advised that he is entitled to have said real estate sold and after the payment of all costs debts and expenses, to have the residue distributed and divided amongst the parties of interest according to their respective rights.

TO THE END, THEREFORE,

1ST. That your Honorable Court will pass a Decree appointing a Trustee to sell said real estate hereinbefore described and distribute the net proceeds arising therefrom to the parties entitled according to their respective rights and interests.

2nd. And for such other and further relief as the nature of the case may require.

May it please your Honors to grant unto your Complainant an Order of Publication directed to Clarence Grable, Zella Grable, his wife, Calvin Grable, and Rose Grable, his wife, residents of Waynesboro, State of Pennsylvania, and non-residents of the State of Maryland, notifying them of the object and substance of this Bill of Complaint and warning them to be and appear