

No. 5409 Equity

Thomas L. Thomas, and Mary C. Thomas  
his wife, J. Ignatius Fitzsimmons -  
Plaintiffs

Elizabeth C. Stephens, Ina N. F.  
Roberts, Lois M. Roberts, John C.  
Fitzsimmons, Mary C. Fitzsimmons  
Annah J. Fitzsimmons, Emma F. Fitzsim-  
mons, Jane E. Fitzsimmons, Leo L. Fitz-  
simmons, and Charles J. Fitzsimmons  
Defendants

No. 5409 Equity.

In the Circuit Court  
as  
a  
Court  
of  
Equity

In the Honorable the Judges of said Court, The Bill of Complaint of Thomas  
L. Thomas, and Mary C. Thomas, his wife, J. Clinton Roberts, and J. Ignatius Fitz-  
simmons of Frederick County respectfully states -

Bill of  
Complaint

1. That a certain John C. Osborn late of Frederick County departed this life  
in or about the year Eighteen Hundred and Seventy-six seized, of  
valuable real estate situated in Frederick County.
2. That said John C. Osborn left a last will and testament, and two Codicils  
thereto which have been duly admitted to probate, and a certified copy  
whereof is herewith filed as part hereof marked Exhibit No. 1.
3. That by said last will and the codicils thereto said John C. Osborn  
devised all his real estate to his wife Margaret M. Osborn for life, and  
at her death, devised, and bequeathed unto the four children of Joseph  
Thomas deceased, namely Elizabeth C. Stephens, Mary M. Thomas, Thomas  
L. Thomas and Anna R. Fitzsimmons, the farm known as "Mount  
Rosa" situated in said County with all the stock, horses, cattle, sheep and  
hogs, grain, farming utensils, and household and kitchen furniture thereon,  
said Thomas L. Thomas to hold and occupy the same during the life of  
Ann Rebecca Osborn to whom was bequeathed an annuity of two hundred  
and fifty dollars during her life payable out of the rent of said farm, and  
at and after the death of said Ann Rebecca Osborn said farm "Mount  
Rosa" and the property thereon to be the absolute Property of said Elizabeth  
C. Stephens, Mary M. Thomas, Thomas L. Thomas, and Anna R. Fitzsimmons,  
all of which will appear more fully by reference to said Exhibit No. 1 which  
is part of this Bill.
4. That said Margaret M. Osborn the wife of said John C. Osborn, died  
prior to the death of the Testator, John C. Osborn -
5. That said Ann Rebecca Osborn died in the Month of November in the  
Year Eighteen Hundred and Eighty-seven.
6. That said Elizabeth C. Stephens is an adult residing in the State of  
Illinois, and is a non-resident, of the State of Maryland.
7. That said Mary M. Thomas married your Complainant J. Clinton Roberts  
and that she died in or about the Year Eighteen Hundred and seventy eight  
intestate leaving surviving her, her husband, J. Clinton Roberts, an adult and  
two children Ina N. F. Roberts, and Lois M. Roberts both of whom, are infants  
unmarried residing in the State of Illinois, and are non residents of the  
State of Maryland -
8. That said Thomas L. Thomas is married, and the name of his wife is  
Mary C. Thomas both of whom are adults residing in Frederick County and

or to said day

Frederick County.

6. equity, was  
County, State  
number 1886.

in Hundred  
the same  
been shown  
Order  
several

County