No. 6510. Equity.

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has been duly admitted to probate by the Orphans Court for Frederick County, Maryland, and letters testamentary thereon have been issued by said Court to Octavius O. Baker and George F. Baker, the Executors named in said Will a certified copy of said Will and an Exemplification of said letters testamentary are filed as Exhibits with said Bill.

That said Edward Baker by his last Will devised to his wife Harriet A. Baker a life estate in all of his said real estate and directed that her death the same to be sold by his Executors and the proceeds to be equally divided among his six children, Octavius O. Baker, George F. Baker, Charles D. Baker, Clementine A. Harris, Laura S. Baker and Essie B. Maxwell, and his personal property equally among his said six children.

That the said widow, Harriet A. Baker has renounced the provision of said Will and filed her renunciation in writing in the office of the Register of Wills of Frederick County, within the time required by law a certified copy of said renunciation is filed as an Exhibit with said Bill.

That said Executors have entered upon the discharge of their duties and have taken possession of all the personal estate of said Testator, but your complainant is informed and so charges that said personal Estate is not sufficient for the payment of all the just debts due and owing by the said testator at the time of his death, and that the deficiency after the application of the personal estate towards the payment of the claim of said complainant and the claims of the creditors of said Edward Baker ought to be supplied by a sale of all or so much thereof as may necessary of the real estate of which said Edward Baker, died seized and possessed.

That said Octavius O. Baker and Jennie Baker, his wife, reside in Carroll County, Maryland, and the said George F. Baker and Ella H. Baker his wife reside in Baltimore County, Maryland, and the said Charles D. Baker resides in Washington County, Maryland, that said Clementine A. Harris and Chauncey Harris, her husband, are non residents of the state of Maryland, residing in the State of New Jersey, that said Laura S. Baker resides in Frederick County, Maryland, that said Essie B. Maxwell and Wesley A. Maxwell, her husband, reside in Montgomery County, Maryland, that the aforesaid legatees and devisees are also all the heirs at law of the said Edward Baker, deceased, and that his said widow, the said Harriet A. Baker, is a resident of Frederick County, Maryland, but is temporarily absent from the state and that all of the aforesaid parties are adults above the age of twenty one years. The Bill then prays that an account be had and taken under taken the direction said court of the personal estate left by said Edward Baker in the hands of his said Executors and the same applied to the payment of the claim of complainant and the other just creditors of said Edward Baker so far as the same will go.

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Answer of O. O. Baker