

NO. 8349. Equity.

real estate was purchased, and on which some of money the said Ida E. Smith is entitled to interest from March 23<sup>d</sup> A. D. 1895.

And also that the said deceased was in his lifetime indebted unto diverse persons other than those above mentioned in various sums of money, as will appear in proof.

2. That the said Charles J. Smith being so indebted as aforesaid, unto your orator and to diverse other persons departed this life on, or about, the 13<sup>th</sup> day of April in this present, 1908. Seized and possessed of real estate, a portion of which consists of the lot or parcel of twelve acres, two rods, and ten square perches, more or less which was conveyed to him by a certain Michael McManus and Abby McManus, his wife a deed bearing date March 23<sup>d</sup> A. D. 1895, recorded in Liber J. L. J. No. 7. Folio 683. v. c., one of the Land Records aforesaid, and the lot of four acres and twenty square perches, more or less, which conveyed unto him by John C. Motters and Robert Biggs, Committee, by a deed bearing date February 2<sup>nd</sup>, A. D. 1897, recorded in Liber J. L. J. No. 16. Folio 146. v. c., one of said Land Records. Said two tracts of land being contiguous to each other and both situated, lying and being in Johnsons election district in said County, Certified Copies of which two deeds are filed herewith as exhibits 4. and 5. respectively.

3. That the said Charles J. Smith having died intestate the real estate of which he was seized and possessed, descended subject to the dower right of his widow, the said Ida E. Smith, to his children, as his heirs at law, namely:

Georgia Lee Smith, an adult daughter, unmarried who resides with her said mother in Frederick County;

Charles Hammond Smith, an infant son, unmarried, who resides in Carroll County, in said State; and Helen Lenora Smith and Ruth Jane Smith, infant daughters, unmarried, who reside with their said mother in Frederick County.

That administration of all the personal estate of the said deceased has been lately granted by the Orphans Court, of Frederick County, to the said Ida E. Smith, who has qualified and entered upon the discharge of her duties and has made returns of the personal estate of the said deceased as required by law.

5. That your orator is informed and believes that the said personal estate is not sufficient to pay the debts.