

M. S. H. Equity.
Petition to amend Bill
of Complaint.

Filed Apr. 30. 1913.

To the Honorable, the Judge of said Court:-
The petition of Charles H. Fite, trading as C. H. Fite & Co., by his solicitors, respectfully prays that leave be granted your petitioner to strike out the fourth paragraph of the Bill of Complaint heretofore filed in this cause, substituting in place of said fourth paragraph the following:-
"That the personal estate left by the said Moses Brooks at the time of his death was insufficient to pay the debts of the said Moses Brooks and Costs of Administration, and that the real Estate mentioned in Exhibit A. be sold under a decree of your Honorable Court and proceeds therefrom to be applied after the payment of all public dues and charges and a reasonable Solicitor's fee to the payment of the claim of your petitioner, and such other of the creditors of the said Moses Brooks as may come in and contribute to the Costs and expenses of this suit."

And that leave be granted to reply said Bill of Complaint as amended, and that said amended Bill of Complaint be taken on the Complaint in this cause, and that an order of Publication of said amended bill be granted in order that the non-resident defendants mentioned in the Bill of Complaint as amended may be given notice of the object and purpose of said amended Bill of Complaint, and show cause, if any they may have, why the decree as prayed for in said amended bill be not passed and to obey by and perform such decree as may be passed therein.

And as in duty, etc.

Emory L. Cobbley
Charles McE. Maxwell
Solicitors for Petitioner.

The aforesaid Petition, having been read and considered, it is therefore this 29th day of April, in the year nineteen hundred and thirteen, by the Circuit Court for Frederick County, sitting as a Court of Equity, and by the authority thereof adjudged, ordered and decreed, that the aforesaid paragraph be and the same is hereby substituted in the place and stead of the fourth paragraph of the Bill of Complaint in the above entitled cause, and that leave be and the same is hereby granted to reply said Bill of Complaint as amended; and that an order of Publication in the usual form give notice to the non-resident defendants of the object and purpose of the amended Bill of Complaint and warning them to be and appear in this Court on some day certain to be named therein to answer said Bill of Complaint and show cause, if any they ^{may} have, why a decree should not be passed as prayed for in said amended Bill.

Glen H. Northampton.