

No. 9052 EQUITY.

Lillian R. Talbott Humphrey

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VS.

In the Circuit Court for

Frank Talbott Humphrey, infant;
and Milton G. Urner, Executor
of the last will and testament of
Amanda S. hedges, deceased, and
Hammond Urner, the successor of
Milton G. urner, executor, as pro-
vided in said Will.

Frederick County, sitting in
Equity.

To the Honorable, the Judges of said Court--

Your Oratrix complaining says--

1. That Amanda S. hedges, late of Frederick County, died in the year 1897, after having duly executed her last will and testament, which was admitted to probate by the Orphans Court for Frederick County, a copy of which is filed herewith marked Exhibit No. 1, and which with all other exhibits herewith filed, is prayed to be taken as part of this Bill of Complaint as fully as if here inserted in words and figures.
2. That by said will the said Testatrix did, among other things, devise and bequeath as follows--"I give and devise unto my granddaughter Lillian Rosabelle Talbott for and during her natural life and after her death to her children my dwelling house and lot situated on East Church street, Frederick City, Maryland, where I now reside" and did further provide that her executor named in said will should during the minority of her said granddaughter and until she is twenty-one years of age, control and manage all of the real estate of said testatrix devised by said will, as therein provided, and did further provide that in case said granddaughter should die without leaving a child or issue living at her death, that the executor named in said will should sell all of said real estate and after paying the expenses of sale dispose of the proceeds as in said will directed, all of which will more fully appear by reference to said "Exhibit No. 1."
3. That your oratrix is the granddaughter mentioned in said will as aforesaid, is now more than twenty-one years of age and has since married and is now the wife of Dr. Frank M. Humphrey.
4. That your oratrix has one child now living, the defendant Frank Talbott Humphrey, who is an infant about 15 months of age.
5. That the said dwelling house and lot situated on East Church street in Frederick City, Maryland, which was the residence of the said Amanda S. Hedges was conveyed to her by Samuel Dutrow by deed dated the first day of April A. D. 1865, a certified copy of which is filed herewith and marked Exhibit No. 2.
6. That your oratrix together with her said husband and infant child are still living upon and occupying the farm mentioned in said will, and the said dwelling house in Frederick City has been rented to tenants ever since the death of said testatrix until quite recently and is now unoccupied, from the want of a tenant, and to maintain and keep said dwelling house and lot in proper condition and repair has been attended with considerable expense, and by reason of the State, County and municipal taxes, insurance and expenses for repair has been and is an unprofitable investment, and your oratrix has recently had an offer to purchase said dwelling house and lot from Glenn O. Garber at and for the sum of \$3700.00 and she has contracted with said Glenn O. Garber to sell said dwelling house and lot to him for said sum of \$3700.00 subject to ratification by your Honorable Court, as will appear by the copy of the contract of sale filed herewith marked