No.10111, Equity,

Bill of Complaint,

Luther C, Powell and Irving S. Albaugh, Partners trading as L,C, Powell and Company, and Lincoln G, Dinterman,	(	No, 10111Equity
Vs,	)	In The Circuit Court for Frederick County, Sitting as a Court of Equity
George A, Nolly, The Franklin Saving Bank a body Corporate, and William A, Cramer, a Judgment Creditor, of Mary E, Nolly and George A, Nolly,	(	

To The Honorable the Judges of said Court,

The Bill of Complaint of Luther C, Powell and Company, and Lincoln G, Dinterman, all of Frederick County, State of Maryland, who sue as well for themselves as for all other creditors, of Charles Nolly and Mary E,Nolly, his wife, late of Frederick County, deceased, who will come in and contribute to the expense of this suit, respectfully shows unto your Honers,;

1- That Charles Nolly, late of Frederick County, State of,Maryland, departed this life on or about the month of December,A,D,1909 leaving a last will and Testament, a Certified Copy of which Will is herewith filed, and Marked Exhibit No,I, which Exhibit as well as all other Exhibits, herewith filed it is prayed may be taken and considered as a part of this Bill, of Complaint, and at the time of his death the said Charles Nolly was seized and possessed of a house and Fourteen Acres of land, more or less, situated in Walkersville, election District, in Frederick County, Maryland, which was acquired by deed from Enoch Umstead, to Charles Nolly,Sr., dated May 14th, 1829, and recorded in Liber J,S, No,32, folio 268, One of the Land Records of Frederick County, and which said Charles Nolly aforesaid Inherited as the sole heir, at law, of his Father, Charles Nolly Sr., and upon the latter's death, the residue of said land, hereby conveyed, (being 3 acres more or less) adjoing the above described land, having been in Continous exclusive possession of the said Charles Nolly for more than thirty five years, at the time of the death of Charles Nolly, a certified Copy of which deed is herewith filed as"Exhibit No,2."

2, That Mary E, Nolly his wife, departed this life, on January 17th, 1920, and that the said Charles Nolly, and Mary E, Nolly his wife, at the time of their death, left no personal property, of any kind whatever and therefore there has been no administration on their personal Estate, with which to pay the debts,

3- That the estate of the said Charles Nolly is indebted to your Orators Luther c, Powell and Irvin S, Albaugh partners tradinf as L,C,Powell and Company in the sum of Ninety One dollars, and Thirty five cents, on an Open account for funeral expenses of the said Mary E, Nolly, as will appear by reference, to said Open account herewith filed as Exhibit No,3, and that the said Estate, of the said Charles Nolly is also indebted to your Orator Lincoln G. Dinterman, on an Open account in the sum of seventy four dollars, and eighty cents, being money advanced, on the principle sum on said mortgage note, and interest, on said mortgaged note dur the Franklin Savings Bank, a body Corperate, since the death of the said Charles Nolly and is still due and owing as by reference to which open account of the said Lincoln G, Dinterman, herewith filed as Exhibit No,4, to will Fully appear,

4- That the said open accounts of thesaid Luther C,Powell and Company and Lincoln G, Dinterman, respectivelyare a charge upon the estate of the said Charles Nolly, according to the provisions of the will of the said Charles Nolly,as well as all other debts of the said Mary E, Nolly as hereinafter set forth;

5- That on the 15th day of January 1894, The said Charles Nolly, and Mary E, Nolly, his wife Executed a Mortgage onnsaid real estate, to The Franklin Savings Bank, a body Corporate, of Frederick County, Maryland, to secure the payment of a promissory note, signed by them for the sum of One Hundred Dollars, and which said Mortgage, is recorded in Liber j,B,J,No.8. folio 621, etc one of the Land Records of Frederick County, a certified copy of which Mortgage is herewith filed as a part hereof Marked Exhibit No,5, and the said Franklin Savings Bank,a body Corporate, as the mortgagee is herewith made a party defendant, to these proceedings,

That on February 16th, 1910, there was entered in the Circuit Court, for Frederick County, a confessed Judgment, against George Nolly, a son, and only heir at law, of the Charles Nolly and Mary E Nolly, the deceased wife, of the said Charles Nolly, a certified copy of which Judgment, is herewith filed marked Exhibit No,6,

7- that your Complainants, hereby reserve the right to question the liability of the estate