

BILL OF COMPLAINT.
No. 11077 Equity.

Edna E. Brownlow and
Clarence A. Brownlow,
Her Husband.

Vs.

Chester A. Miller and
Margie Miller, his wife,
Gertrude B. Heffner and
Frank Heffner, her husband,
Lois C. Strine and Russell
Strine, her husband, Gladys
Murray and Marshall Murray,
her husband.

"
"
"
"
"
"
"
"
"
"
"

No. 11077 Equity.

In the Circuit Court

for Frederick County.

In

E Q U I T Y.

-----0-----

To the Honorable Judges of said Court;

The Bill of Complaint of Edna E. Brownlow and Clarence A. Brownlow, her husband, respectfully shows;

FIRST; That they are residents of Washington, in the District of Columbia, living at No. 5704 Georgia Avenue, Northwest, in said City.

SECOND; That all of the Defendants are residents of Frederick City, Frederick County, Maryland, their respective addresses being as follows;

Chester A. Miller and Margie Miller, his wife, 217 South Market Street;

Gertrude B. Heffner and Frank Heffner, her husband, 432 West South Street;

Lois C. Strine and Russell Strine, her husband, 17 West South Street;

Gladys Murray and Marshall Murray her husband, 9 Jefferson Street.

THIRD; That the said Plaintiff, Edna E. Brownlow, and the said Defendants, Chester A. Miller, Gertrude B. Heffner, Lois C. Strine and Gladys Murray, are the children of Edgar Little Miller, late of Frederick County, Maryland, deceased, and the grandchildren of Christiana Miller, late of Frederick County, Maryland, deceased.

FOURTH; That the said Christiana Miller departed this life on or about August 30, 1915, leaving a Last Will and Testament, bearing date the _____ day of _____, 1910, duly probated in the Orphans Court of Frederick County, Maryland, and recorded in Liber S. D. T. No. 2, folio 85, one of the Records in the office of the Register of Wills of Frederick County, Maryland, a certified copy of which is herewith filed, as part hereof, marked Exhibit "C.M."

FIFTH; That, in her said Last Will and Testament, the said Christiana Miller, gave and bequeathed unto her grandchildren, Edna Estelle Roelke (now Edna Estelle Brownlow) one of the Plaintiffs, Chester Arthur Miller, Gertrude Best Miller (now Gertrude B. Heffner), Gladys Miller (now Gladys Murray), and Lois Carr Miller (now Lois Strine) all of whom are parties hereto, all of her property, real, personal and mixed, as follows: "My property situated on South Market Street in said Frederick City, is to be maintained as a home for my son Edgar Little Miller and grand-children who remain unmarried as long as my said son may so desire it, and after the death of my said son it is to be a home for my unmarried grand-children as long as they or any of them desire it to be maintained as such. After the happening of these contingencies and it is no longer desired by these or any of them as a home, this property is to be sold and the proceeds divided among all my said grand-children share and share alike, and upon the event of any of them dying before said sale and distribution, leaving children, said children to receive the share their parents would have received if living."

SIXTH; That the contingencies aforesaid have happened, and all the said grandchildren are now married, so that said home or property, aforesaid, under the terms of said Last Will and Testament of the said Christiana Miller, should now be sold.

SEVENTH; That, as appears in said Last Will and Testament of the said Christiana Miller, no one is authorized to sell said real estate, since no power of sale is conferred upon any one in said Last Will and Testament, so that it becomes necessary for this Court to assume jurisdiction in the premises of a sale.

and since Edgar Little Miller Exr is dead