

BILL OF COMPLAINT

Doctor Ulysses G. Bourne and " No. 12176 Equity
 Thomas P. Rice " In the Circuit Court for Frederick
 vs. " County, Sitting as a Court of Equity
 Philip A. Probee and Annie S. " "
 Probee "

To the Honorable, the Judges of the Circuit Court for Frederick County, sitting as a Court of Equity.

Your Orators Complaining, say:

First: That a certain Amanda E. Probee, a lifetime resident of Frederick County, Maryland, died the latter part of March 1928 at a Hospital in the City of Washington, District of Columbia, when she had been taken a short while before for treatment, aged about years.

Second: That said Amanda E. Probee left a last will and Testament, a copy of which attested, is herewith filed marked Exhibit No. 1 which said last Will was probated in the Orphans Court of Frederick County on April 17, 1928 and as there was no personal estate left by said decedent nothing further has been done nor will there be by any further proceedings in said Orphan's Court in the way of administration, there being no personal property to administer upon.

Third: That by the terms of her said last Will, she left a house and lot (outside of a bureau frame gilt picture and her clothing of little or no value) which is the residue of her estate to her stepson, Philip A. Probee during his natural life and at his death to go to her step-daughter, Annie S. Probee, but if said stepson should become in need, he should have the privilege of selling the property and to equally share the sale of the same with his sister the said Annie S. Probee

Fourth: That the said Philip A. Probee is an adult and a resident of Frederick City, Frederick County, Maryland, and has been for a long number of years; that the other Defendant to this cause Annie S. Probee is a non-resident of the State of Maryland, is an adult and resides at East Boston, State of Massachusetts.

Fifth: That the real estate of which the said Amanda E. Probee died seized and possessed, consists of a home and lot situated in Frederick City, Maryland, on West All Saints Street, being the same real estate described in a deed to said Amanda E. Probee from Philip A. Probee, dated November 30, 1912, and duly recorded among the Land Records of said Frederick County, Maryland, in Liber H. W. B. No. 302, folio 363, a duly certified copy of which deed is filed herewith as part hereof and marked "Exhibit No. 2"

Sixth: That the estate of the said Amanda E. Probee is indebted unto your Orators Doctor Ulysses G. Bourne the sum of \$107.50 and an additional sum of \$12.95 for taxes for the year 1929 advanced by him, marked "Exhibits Nos. 3 and 4 respectively, and is further indebted unto your Orators Thomas P. Rice in the sum of \$80.00 as evidenced by his account, being a balance due for funeral expenses of said Amanda E. Probee, marked Exhibit No. 5, all of which Exhibits are filed herewith as part hereof.

Seventh: That there being no personal property out of which the claims of your orators and any other creditors of the said Amanda E. Probee can be paid, your Orators filed this Bill of Complaint in your Honorable Court to the end that the real estate of which the said Amanda E. Probee died seized and possessed and described in "Exhibit No. 2" may be sold by Decree of your Honorable Court, for the purpose of paying the claims of your Orators, and the claims of all other creditors of said Amanda E. Probee, who will come in and contribute to the expenses of this suit.

Wherefore your Orators pray:

1st. That your Honors will pass a Decree of your Honorable Court directing the real estate of which said Amanda E. Probee died seized and possessed and described in "Exhibit No. 2" may be sold by a trustee for the purpose of paying the claims of your Orators, and of any other creditors if there be such of the said Amanda E. Probee, deceased,