The Petition of Cora D. Lee, the defendant in the above entitled cause, respectfully represents:

1. That said Emma V. Hathaway, mentioned in the bill of complaint filed against your petitioner, in this cause, departed this life, intestate, on or about the 22nd day of August, 1922, seized and possessed of certain real estate located in Brunswick, Frederick County, Maryland, described in said bill of complaint and Exhibit A, and left as her heirs at law, a surviving husband, now deceased, and two daughters, the said Josephine Brightman and your petitioner, Cora D. Lee, to whom said real estate descended.

2. That said decedent also left a small amount of personal property, and letters of adminstration were granted your petitioner, who, after qualifying as such administratrix, took charge of said personal estate , and after converting the same into cash, proceeded to make payment of the funeral expenses, costs of administration and debts due by said decedent at the time of her death, as will appear from the certified copy of said letters, and the first and final account of your petitioner, as administratrix of the estate of said Emma V. Hathaway, herewith filed and marked Exhibit No. 1"

3. That by said administration account it will appear that your petitioner has overpaid the personal estate of the said Emma V. Hathaway, which came into her hands to be administered by the sum of eleven hundred, sixteen and 31/100 dollars ($1,116.31) and that the debts which were mentioned in said account, and for the payment whereof allowances are made therein to your petitioner, as administratrix aforesaid, were debts due and owing by the said Emma V. Hathaway, at the time of her death.

4. That said Emma V. Hathaway died without leaving sufficient personal property to pay her debts and the cost of the administration of her estate.

5. That your petitioner is entitled to have the aforesaid overpayments re-imbursed to him out of the aforesaid real estate left by said intestate.

TO THE END THEREFORE,

(1) That said real estate or so much thereof as may be necessary therefor may be sold for the purpose of repaying your petitioner the sums of money so paid by her over and above the value of the personal estate of the said Emma V. Hathaway which came into her hands to be administered, and for discharging such other debts of said Emma V. Hathaway as yet remain unpaid.

(2) That these proceedings for partition may be converted into a creditors bill.

(3) That your petitioner may have such other and further relief as her cause may require.

And your petitioner prays for process in the usual manner against said Morse W. Brightman and Josephine D. Brightman, of Trinidad, Colorado.

H.K. DeLauter
Solicitor

(Filed July 16, 1930)

EXHIBIT NO. 1 TO PETITION TO CONVERT PROCEEDINGS &C

The First and Final Account of Cora D; Lee, administratrix of the Goods and Chattels of EMMA HATHWAY, late of Frederick County, Md., deceased.

This Accountant charges herself with this sum being the amt. of an Inventory of Personal Property Exhibited and filed in the Orphans' Court, Apr. 17, 1930.	$295.00
and this Accountant prays an allowance for the following payments:--	
1. For this sum paid J. R. Hoar Installing Light Stable	$4.00
2. For this sum paid Chas. H. Shafer, acct.	3.78
3. For this sum paid C. C. Anderson Installing Light in House	55.50
4. For this sum paid C. E. Darner ½ Monument	62.50