

3. That administration of all and singular the personal estate of said Frank Bruchey has been lately granted by the Orphans Court for Frederick County to one Harry M. Feaga, of Frederick County, Maryland, who, in virtue thereof, has possessed himself of the said personal estate of the said Frank Bruchey, as will fully appear by reference to a certificate of Letters of Administration granted on the estate of Frank Bruchey, herewith filed as part hereof marked "Exhibit A."

4. That your Petitioner is informed and believes that the said personal estate is not sufficient to discharge all of the just debts due and owing by the said intestate, Frank Bruchey, at the time of his death; the said Administrator, by virtue of an order of this Court, has sold the said articles of personal property at public sale and a report of the said sale and the proceeds has been made to this Court which indicates clearly that the net proceeds will not be sufficient to discharge the claims already filed against the said estate.

5. That the said intestate, Frank Bruchey, was at the time of his death, seized and possessed of a certain lot of land, unimproved, situate, lying and being in Frederick, Frederick County, State of Maryland, in Wertheimer's Addition to Frederick, being Lot No. 14 on a plat of the same as surveyed by W. Jarboe Grove, County Surveyor, on the 16th day of August, 1934, which said lot was purchased some time ago by the deceased for the sum of One Hundred Fifty Dollars (\$150.00), and which is now valued at probably less than that amount, the deed for the same being from Philip Wertheimer and J. M. Wertheimer, to Frank Bruchey, dated May 12, 1936, and recorded in Liber 402, folio 88, one of the Land Records of Frederick County aforesaid, certified copy of same being filed herewith as part hereof marked "Exhibit B".

6. That sufficient income and funds cannot be realized from the rental of the said land and premises of the said Frank Bruchey, deceased, with which to pay his debts or any other legal claims which may arise, and, furthermore, it would be for the best interests of the said Nellie C. Bruchey, infant, that the said land and premises be sold and converted into cash and the proceeds thereof, less all expenses, be distributed under the direction of this Court.

TO THE END, THEREFORE,

1. That a decree may be passed for the sale of the said real estate.
2. That the proceeds of sale may be distributed toward the payment of the aforesaid claim or claims or as ordered by this Court.
3. That your Petitioner may have such other and further relief as the cause may require.

May it please your Honors to grant unto your Petitioner the writ of subpoena, directed to the said Nellie C. Bruchey, infant, in care of Mrs. John Himes, 469, West South Street, Frederick, Maryland, and Harry M. Feaga, Administrator of the estate of Frank Bruchey, deceased, Feagaville, Frederick County, Maryland, commanding them to be and appear, either in person or by solicitor, in this Court, on or before a certain day to be named therein, to show cause, if any they have why a decree ought not to be passed as prayed.

And as in duty bound, etc.

David C. Winebrenner 3d.,
Solicitor for Complainant.

Filed April 29, 1937.

"EXHIBIT A"

STATE OF MARYLAND, FREDERICK COUNTY, SCT:

The subscriber, Register of Wills for Frederick County, does hereby Certify and Attest, That on the 24th day of November, 1937, Letters of Administration were granted by the Judges of the Orphans' Court of Frederick County aforesaid, to Harry M. Feaga on the Estate of Frank Bruchey late of Frederick County, deceased, the said Harry M. Feaga, having given Bond with Charles W. Himes, and George R. Lantz, Sureties in sum of (\$3,000.00) Three Thousand