

EX

BILL OF COMPLAINT

L. Cramer Powell and Irving S. Albaugh, partners trading as Powell & Albaugh, and Dr. Otis B. Stone	" " " "	No. 13497 Equity In the Circuit Court for Frederick County.
Vs.	"	
Matilda Hammond, widow, Edgar Hammond, Jr., H. Bruce Hammond and Rachel Hammond, his wife, and the Peoples Bank of Liberty, judgment creditor	" " " "	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Bill of Complaint of L. Cramer Powell and Irving S. Albaugh, partners trading as Powell & Albaugh, and Dr. Otis B. Stone, who sue for themselves as well as on behalf of all other creditors who come in and contribute to the expense of this suit, complaining, says:

FIRST: That a certain Edgar Hammond, late of Frederick County, Maryland, departed this life intestate on the 19th day of February, 1936, being indebted to your Complainant, Dr. O. B. Stone, at the time of his death in the sum of \$26.50, for medical attention rendered the said Edgar Hammond and family prior to his death, and the estate of the said Edgar Hammond was also indebted to your Complainants, L. Cramer Powell and Irving S. Albaugh, partners trading as Powell & Albaugh, in the sum of Two Hundred & Two 00/100, both of which bills are filed herewith as a part hereof and marked exhibits "O B S" and "A & P" to this Bill of Complaint.

SECOND: That the said Edgar Hammond left no personal estate and no Letters of Administration were ever issued on his estate, and your Complainants aver that they are entitled to have these claims paid out of the real estate of which the said Edgar Hammond died seized and possessed.

THIRD: That the said Edgar Hammond was seized in fee simple at the time of his death of all those lots or parcel of land situate, lying and being on the south side of South Street in the village of Liberty, Frederick County, Maryland, containing five acres and fifteen square perches of land, more or less. And being the same parcel of land conveyed to the said Edgar Hammond by deed from Eugene Hammond, Executor of the last Will and Testament of Mary W. Simms, dated March 8, 1909, and recorded in Liber No. 286, folio 184, one of the Land Records for Frederick County, a certified copy of which deed is filed herewith marked Exhibit No. 1 to this Bill of Complaint.

FOURTH: That all of the Defendants are residents of Frederick County, State of Maryland, except Rachel Hammond, who resides in Washington, District of Columbia, and all of the Defendants being adults.

FIFTH: That the said Edgar Hammond left surviving him as his heirs at law and next of kin Matilda Hammond, his widow, Edgar Hammond, Jr., a son, and H. Bruce Hammond, a son, whose wife's name is Rachel Hammond.

TO THE END, THEREFORE,

1st. That the real estate of which the said Edgar Hammond died seized and possessed, or so much thereof as may be necessary be sold for the payment of the claims of your Complainants and of other unpaid creditors of the said decedent.

2nd. That any excess be properly distributed among those legally entitled thereto.

3rd. That a Trustee may be appointed by your Honorable Court to sell the said real estate.

4th. And for such other and further relief as the nature of the case may require.

May it please your Honors to grant unto your Complainants the Writ of Subpoena directed to the said Matilda Hammond, Edgar Hammond, Jr., and H. Bruce Hammond, and the Peoples Bank