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BILL OF COMPLAINT

Thomas H. Davis	"	No. 13522 Equity
vs.	"	In the Circuit Court
Esta M. Shank, Executrix, and H. Kieffer DeLauter, Executor of the Last Will and Testament of James C. Shank, deceased, and Clara L. Shank, widow, and George Shank, widower, Devisees under the Last Will and Testament of James C. Shenk, late of Frederick County, Maryland, deceased.	"	For Frederick County
	"	In Equity.
	"	
	"	
	"	
	"	
	"	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orator, who sues for himself as for all other creditors of James C. Shank, late of Frederick County, Maryland, deceased, who shall come in and contribute to the expense of this proceeding, complaining, says:

(1) That the said James C. Shank was, in his lifetime, indebted unto your Orator, Thomas H. Davis, in the full and just sum of Eighty-nine Dollars and Forty Cents ($89.40), with interest from November 10, 1936, together with an item of costs in the amount of One Dollar and Eighty-five Cents ($1.85), upon a certain judgment, being Suit No. 265 on Docket No. 1 of Patrick M. Schnauffer, a Justice of the Peace, in and for Frederick County, Maryland, all of which will more fully appear by reference to a transcript of said judgment, filed herewith marked "Exhibit No. 1" and which is prayed may be taken and considered a part hereof.

(2) That the said James C. Shank, being so indebted as aforesaid unto your Orator and also unto several other persons, having a real and personal estate of modest value, departed this life on or about the 24th day of December, 1936, seized and possessed of all that piece or parcel of land situate, lying and being in Middletown Election District in the village of Bolivar, in Frederick County, State of Maryland, containing three (3) acres of land, more or less, and being all and the same real estate which was conveyed unto the said James C. Shank and Franklin P. Shank, as joint tenants and not as tenants in common, by George P. Sheffer and Amanda D. Sheffer, his wife, by deed dated April 1, 1908, and recorded in Liber S. T. H. No. 282, Folio 420, one of the Land Records of Frederick County, the complete interest in the said real estate having vested in the said James C. Shank by the right of survivorship upon the death of the said Franklin P. Shank, which occurred many years prior to the demise of the said James C. Shank, a certified copy of which said deed is filed herewith marked "Exhibit No. 2" and which is prayed may be taken and considered a part hereof.

(3) That the said James C. Shank died testate, leaving a Last Will and Testament which has been duly admitted to probate by the Orphan's Court for Frederick County, and letters testamentary on the said estate of the late James C. Shank have been granted by the said Orphan's Court unto Esta M. Shank and H. Kieffer DeLauter, the Executrix and Executor, respectively, named in said Last Will and Testament, all of which will more fully appear by reference to a duly authenticated copy of the Last Will and Testament of the said James C. Shank filed herewith as "Exhibit No. 3", and also a certificate of the letters testamentary filed herewith as "Exhibit No. 4", which said exhibits it is prayed may be taken and considered a part hereof; and that by virtue of said administration, the said personal representatives have entered upon their duties and have possessed themselves of the personal estate of the said James C. Shank.

(4) That, by virtue of the terms and provisions of the Last Will and Testament of the said James C. Shank, the real estate hereinbefore mentioned was by the said Testator given and bequeathed unto Clara L. Shank and George Shank, her son, after the payment of