

With full ingress and egress to an alley and right of way beginning for the same at the south-west corner of the lot that was conveyed to Charles F. Rothenhoefer by deed from William Bopst and wife, dated on the nineteenth day of November, Eighteen Hundred and Ninety-two, and recorded in Liber J.L.J. No. 3, Folio 284, one of the Land Records of Frederick County, and running thence by and with the west line of said lot north two hundred (200) feet, thence west ten (10) feet and South two hundred (200) feet to the place of beginning; which said lots and parcels of ground are more particularly described in the deeds referred to, a certified copy of each deed is herewith filed, marked "Exhibits 1,2,3,4,5,6 and 7", respectively, which together with all other exhibits filed herewith is prayed to be taken and considered as a part of this Bill.

SECOND: That the said Charles F. Rothenhoefer died testate and his Last Will and Testament has been duly probated, admitted to record and recorded in Liber R. L. L. No. 1, Folio 356, one of the Record Books for Wills in the Office of the Register of Wills for Frederick County, his widow, Annie W. Rothenhoefer, the executor named in said will has duly qualified as executrix, and all parties named in his said Last Will and Testament as well as those who are contingent remaindermen under his said will have been made parties to this suit; a certified copy of the said Last Will and Testament of the said Charles F. Rothenhoefer is herewith filed and marked "Exhibit Will".

THIRD: That your Complainant files this Bill of Complaint not only for himself but for all other creditors of Charles F. Rothenhoefer, deceased, who may come in and contribute to the costs of this suit.

FOURTH: That the said Charles F. Rothenhoefer at the time of his death was indebted unto your Complainant in the sum of One Hundred Thirty-four Dollars and Forty-six Cents (\$134.63) for milk sold to the said Charles F. Rothenhoefer during his life time and for which your Complainant was not and has not been paid; nor received any security therefor; copies of your Complainant's bill being herewith duly filed and marked "Exhibit Milk Bill", and "Exhibit Milk Bill-Orphans Court".

FIFTH: That the said Charles F. Rothenhoefer did not leave personal estate sufficient to pay his debts and the costs of administering his estate, it appearing by the records in the Office of the Register of Wills for Frederick County that the personal estate of the said Charles F. Rothenhoefer was inventoried in the approximate amount of Seven Thousand Dollars and the debts against the said Charles F. Rothenhoefer being in the approximate amount of Eleven Thousand, Eight Hundred Dollars; it further appears that the personal property being largely equipment used in the operation of the Excelsior Sanitary Dairy has greatly depreciated in value so that there was not and is not now sufficient personal estate to pay all debts and costs of administration of the estate of Charles F. Rothenhoefer.

SIXTH: That your Complainant is advised that the real estate of which Charles F. Rothenhoefer died seized and possessed is appraised in the Office of the Register of Wills for Frederick County in the amount of Ten Thousand Dollars, but that said real estate is encumbered by a mortgage of Charles F. Rothenhoefer and Annie Rothenhoefer, his wife, to the Domestic Building Association of Frederick County, a body corporate, said mortgage bearing date on January twenty-seventh, Nineteen Hundred and Forty-two, and recorded in Liber No. 432, Folio 237, one of the Land Records of Frederick County, to secure a loan in the amount of Three Thousand Dollars.

SEVENTH: That your Complainant and the other creditors of the said Charles F. Rothenhoefer are and will be unable to receive the payment of their full claims against the said deceased unless the real estate of which Charles F. Rothenhoefer died seized and possessed be sold under the authority of your Honorable Court and the net proceeds arising therefrom be paid in full or in part unto your Complainant and the other just creditors of the said Charles F. Rothenhoefer and of his estate.