

other persons, departed this life on the 12th day of June, 1936, seized and possessed of all that piece or parcel of land situate, lying and being at the east end of Eyler's Valley on the road leading from Thurmont to Sabillasville, in Frederick County, Maryland, containing 24 acres and 2 roods of land, more or less; and being all and the same real estate which was conveyed unto the said Roscoe P. Brown by Thomas A. Chapline, County Treasurer for Frederick County, Maryland, by deed dated July 19, 1935, and recorded in Liber No. 339, folio 184, one of the Land Records of the County aforesaid, 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 Roscoe P. Brown died testate leaving a Last Will and Testament which has been duly admitted to probate by the Orphans Court for Frederick County, and letters testamentary on the said estate of the late Roscoe P. Brown have been granted by said Court unto Lydia Keith Brown, named as Executrix in said Last Will and Testament, all of which will more fully appear by reference to a duly authenticated copy of said Last Will and Testament of the said Roscoe P. Brown, filed herewith as Exhibit "No. 3", and also a certificate of letters testamentary filed herewith as Exhibit "No. 4", which said exhibits it is prayed may be taken and considered a part hereof.

4. That the said Lydia Keith Brown, Executrix as aforesaid, has completed the administration of the personal estate of said decedent, as will more fully appear by reference to the first and final account of said Lydia K. Brown, Executrix, filed and approved by the Orphans Court for Frederick County on the 12th day of April, 1937, all of which will more fully appear by reference to a certified copy of said administration account filed herewith as Exhibit "No. 5", which is prayed may be taken and considered a part hereof.

5. That, by virtue of the terms and provisions of the Last Will and Testament of the said Roscoe P. Brown, the real estate hereinbefore mentioned was by the said Testator devised and bequeathed unto Lydia Keith Brown after the payment of all the just debts and funeral expenses of the said testator, as will appear by reference to a certified copy of said Last Will and Testament filed herewith as Exhibit "No. 3", the said Lydia Keith Brown, widow of the said Roscoe P. Brown, deceased, now being an adult residing at Lantz, in Frederick County, Maryland.

6. That, as will appear by reference to said administration account, the said Roscoe P. Brown, did not leave personal estate sufficient to pay his debts and the costs of administration, and that your Orator is advised, and so avers, that the deficiency in the said personal estate ought to be supplied by a sale of all, or such part as may be necessary, of the real estate of the aforesaid debtor.

TO THE END, THEREFORE:

(1) That the said real estate of the said Roscoe P. Brown, deceased, or so much thereof as may be necessary for the purpose, may be sold for the payment of the debts of the said decedent remaining unsatisfied after the application of his personal estate as aforesaid.

(2) That the proceeds of the said real estate may be distributed unto the creditors of the said Roscoe P. Brown toward the payment of his debts.

(3) That your Orator may have such other and further relief as the nature of his case may require.

MAY IT PLEASE YOUR HONORABLE COURT to grant unto your Orator the writ of subpoena directed against the said Lydia Keith Brown, Executrix and as devisee of the Last Will and Testament of Roscoe P. Brown, deceased, residing at Sabillasville, Frederick County, Maryland, warning her to be and appear in this Court in person or by solicitor on or before a certain day to be named therein to show cause, if any she may have, why a decree should not be passed as herein prayed.