

John Kenzer Jr surviving } No 2445 Equity in the Circuit Court  
 Executor of Ino Kenzer sen<sup>r</sup> dec<sup>d</sup> } for Frederick County in Equity, in the words  
 } and figures following to wit  
 } (Filed Sept 10 1852)  
 Elizabeth Kenzer, Ino Dand }  
 Kenzer, Ann Eliz<sup>th</sup> Kenzer & } To the Honorable Madam: Nelson Judge of  
 Joshua Newton Kenzer } the Circuit Court for Frederick County sitting  
 } as a Court of Equity

The Bill of Complaint of John Kenzer Jr of Frederick County and State of Maryland surviving executor of the last will and testament of John Kenzer Sen<sup>r</sup> late of said County deceased, humbly represents unto your Honour that heretofore to wit on or about the 12<sup>th</sup> day of November 1846, the said John Kenzer Sen<sup>r</sup> departed this life seized and possessed of real and personal property a part of which said real estate he devised and disposed of as follows, by his said last will and testament to wit, "Secund to my beloved wife Ann I devise my manseum farm during her natural life only with the privilege of using or occupying that portion of the manseum house and premises we now occupy, at her decease I respectfully request the Justices of the orphans Court of the County for the time being to appoint three respectable disinterested persons to value or appraise my manseum farm and return a certificate under their hands and seals to my executors, who are to file the same in the office of the Register of Wills of said County, and I do hereby give to my son Jasper the privilege of taking said farm at such valuation, if he so elects within thirty days after the death of his mother and on his accounting with the executors for such valuation the said farm containing about 163 acres shall be the right property and estate of my said son Jasper his heirs and assigns forever and if my said son shall not elect to take said farm at such valuation then so then further willed" if my said son Jasper shall elect to take the farm at its valuation, he shall file in the Register's office within the time above specified a certificate of such election and it is further my will that if he take said farm at its valuation, it be paid in five equal annual payments" and appointed his said son John Kenzer Jr and the Complainant in this bill and Jasper Kenzer his executors of, in and to his said last will and testament, all of which will more fully appear by reference to a copy of said last will and testament herewith filed and marked "Exhibit A" which with all other exhibits herewith filed your orator prays may be taken and considered as part of this his Bill of Complaint And your orator further states unto your Honour that the said Ann Kenzer wife of the said John Kenzer Sen<sup>r</sup> deceased departed this life in the year 1848 that the Judges of the Orphans Court of said County did, in said year of 1848 appoint Jacob Sayler, Abraham Grubbs and Suratto D Marple three respectable disinterested persons, to value and appraise the said real estate according to the directions of said will, who valued the same at fifty eight dollars per acre, making the whole valuation nine thousand three hundred and ninety six dollars and that the said Jasper Kenzer did elect to take the said real estate, at such valuation according to the provisions of said will, all of which will more fully appear by copies of said proceedings herewith filed marked Exhibit B" and "Exhibit C" And your orator further states unto your Honour that heretofore and since the valuation and taking of said property, as aforesaid to wit on or about the 28<sup>th</sup> day of June 1857 the said Jasper Kenzer departed this life, seized and possessed of personal property and the said real estate, that he had not paid the whole of said valuation of the said real estate at the time of his death, but that a large portion of it remains yet unpaid to wit, the sum of two thousand eight hundred and eighty three dollars and nineteen cents with some little interest