

of the Martin H. Willhite married to Mary Ann Brunner, one of your Complainants. ~
 Your Complainants further state, that they together with the said Sarah Ada Willhite
 Geo. W. Willhite, Martha C. Willhite, Lucy Jane Koil, Charles Koil and Myrtle Koil,
 are seized as tenants in Common of the land described as aforesaid and that the
 said land cannot be divided without loss and injury to the parties interested - and that
 it will be to the interest and advantage, of all the parties interested, infants as well
 as adults, that the property be sold under and by virtue of a decree of your Honor
 able Court, and the proceeds of sale be divided amongst those interested accord-
 ing to their several and respective interests. ~

To the End therefore that the defendants hereinafter named, may answer the
 matters and things herebefore stated, the same as if they were therein again
 repeated, and they were thereunto specially intercompelled, and that the real estate
 in the proceedings mentioned may be sold and the proceeds of sale divided a-
 amongst those interested, according to their several and respective proportions,
 and that your Complainants may have such other and further relief as the
 nature and Equity of their Cause may require.

May it Please your Honors to grant unto your Complainants an order of Publication
 giving notice to the said Lucy Jane Koil, Charles Koil and Myrtle Koil, who are
 now residents as before stated of the substance and object of the Bill, and warn them
 to appear in this Court, on some certain day, to answer the premises, and show
 cause if any they have, why a decree ought not to pass as prayed, and also a writ
 of Subpoena against the said Sarah Ada Willhite, George W. Willhite and Martha
 C. Willhite of Frederick County, Commanding them to appear in this Court at some
 certain day to be therein named, to answer the premises, and abide by and per-
 form such decree as may be passed therein, And as in duty bound &c.

Henry Ross
 Chas. W. Ross

Solicitors for Complainants

Filed March 28th 1840 ~

Exhibit

In the name of God, Amen! I Leonard Willhite of Frederick County in the State of
 Maryland, being sick and weak in body, but of sound and disposing mind, memory
 and understanding, considering the certainty of death and the uncertainty of the
 time thereof, and being desirous to settle my worldly affairs, and thereby be the
 better prepared to leave this world when it shall please God to call me hence,
 do therefore make and publish this my last Will and Testament, in the manner
 and form following, that is to say: ~

First and principally I commit my soul into the hands of Almighty God,
 and my body to the Earth, to be decently buried at the discretion of my Executor
 hereinafter named, and after my debts and funeral charges are paid, I devise
 and bequeath as follows. ~

I give and bequeath to my two sons Daniel Willhite and William Willhite
 my farm on which David Heller the son of Daniel Heller now resides, containing
 about 11 7/8 Acres of land more or less, after the said David Heller's lease shall
 expire, which will be on the 1st day of April 1837. In the mean time, my two sons
 Daniel and William are to make all the repairs that I had had agreed to make in
 my agreement, the same as I would have done if I had to have lived, the shingles
 that are made in the Mountain, and those at my present dwelling are to be taken
 for that purpose, and if they are not sufficient, my Estate must furnish a suf-
 ficiency, the Plank that I intended for the repairs of said property is part in the
 Barn I sold to Daniel Rouser and the remainder at my present residence, they
 must also put a jump in the well on the said Farm the cost of all the repairs