this life in or about the year 1864, leaving his last will and testament as herein-after set forth unaltered and unchanged. Your Complainants further state that said Joseph Darner in his lifetime on or about the twenty third day of September in the year 1864, duly made and executed his last Will and Testament in writing thereby bequeathing and devising unto his then wife Susan Darner all his Estate both Real and Personal (excepting a small colt which he bequeathed unto his son Robert) to have and to hold during her natural life and after her death to be equally divided among his children, share and share alike, and the said testator further appointed your Complainant John Long the sole executor of his said last Will and Testament, a certified copy of which will is herewith filed marked Exhibit No. 2. Your Complainants further state that said Joseph Darner died leaving the said Susan Darner, his widow and three Children namely a son Joseph Robert Darner, who is an Adult unmarried and lives in Frederick County A daughter Mary V who is now the wife of Oliver H Flook both of whom are Adults and non residents of the State of Maryland, living in the state of Indiana and a daughter Sarah A who is now the wife of Charles W Condon both of whom are Adults and live in Frederick County State of Maryland Your Complainants further state that shortly after the death of the said Joseph Darner, his aforesaid last will and Testament was in due form of Law admitted to probate before the Orphans Court of Frederick County and letters testamentary thereon were in due form of Law by said Orphans Court granted unto your Complainant John Long who has ever since thereof possessed himself of the Personal Estate left by the said testator at the time of his death and has applied the same to the discharge of other proper debts due by the deceased and also in part payment of the debt of your Complainant Peter Shafer. Your Complainants further state that the Personal estate of the said Joseph Darner deceased in the hands of his executor was and is insufficient for the payment of all his just debts and the same having been applied by the executor to the payment of his other debts and in part to the debt of your Complainant Peter Shafer, your Complainants are advised that they and the other Creditors yet unsatisfied are entitled to have their claims paid out of the Real Estate of the said deceased in the hands of his devisees as aforesaid. Your Complainants further state that the said John Long and your Complainants, as executor as aforesaid has overpaid the Personal Estate of the said Joseph Darner which came into hands to be administered by the sum of about Thirty dollars, Eleven dollars and Seventy nine cents of which will appear from a certified copy of his last account passed before the said Orphans Court herewith filed marked Exhibit No, 3 the remainder of which indebtedness will appear from Vouchers hereafter to be filed marked Exhibits Nos. 5, 6, 7, 8, 9 10, 11 and 12 respectively. Your Complainants further state that the debts due by the deceased mentioned in his aforesaid account and all his prior accounts for the payment whereof allowances are therein made to your Complainant John Long were debts due and owing from the said Joseph Darner at the time of his death and at the time of their payment by said executor were properly chargeable against his Real Estate in the hands of his aforesaid devisees, and your Complainants are advised that your Complainant John Long is entitled to have his aforesaid overpayment reimbursed to him out of the aforesaid Real Estate. Your Complainants further state that the said Real Estate is described in a deed from John Smith and wife to said Joseph Darner a certified copy of which is herewith filed marked Exhibit No 4 and consists of a farm which cannot be divided without loss and injury to all parties interested and that it would be for the benefit

Exhibit No