

Douty and Harry W. Douty, her husband, Earnest Peare and Walter Peare, by William H. Peare, their father and next friend, Josephine Peare, Claudia Peare, Albert L. Peare and Oliver Peare, by James M. Peare, their father and next friend, Rebecca Danner and Edward D. Danner, her husband, unto your Honors, humbly and respectfully represent and show, that your Complainants and Petitioners are interested in the sale of the Property real and Personal, of which David Justis, late of Frederick County, died seized and possessed.

That the said David Justis after having duly executed a last will and testament sufficient to pass both real and Personal Property some time in the year 1864, departed this life leaving said last will in full force and unrevoked. That said last will was on the 24<sup>th</sup> day of May 1864 duly admitted to probate by the Orphans Court for Frederick County, and recorded in Liber of the same one of the Will Books for said County.

That said testator by and under the provisions of said Will, makes the following disposition of his Property and Estate, viz: 1<sup>st</sup>. After the death of his wife Margaret Justis all his Property to be sold, and one half of the Proceeds thereof less one hundred dollars, to be equally divided among testators brothers and sisters or their representatives. 2<sup>d</sup>. To his wife Margaret Justis, one half of the Proceeds of his Property, more one hundred dollars, to make use of in any way and manner she may think proper. 3<sup>rd</sup>. A life estate to his said Margaret Justis, during her natural life, in all his Property both real and Personal, and subjecting the whole of his estate to the support of his said wife Margaret Justis. That although the said David Justis left the said last will and testament, duly executed to pass both real and Personal property, and directing, that at the death of his said wife Margaret Justis, the whole of it should be sold, and the Proceeds distributed as aforesaid. Yet the said testator failed to appoint any one, by said will, to make sale of said Property, or to execute said last will. A certified copy of said will of the said David Justis is herewith filed, marked "Exhibit No. 1." which your Complainants and Petitioners pray may be taken together with all other Exhibits herewith filed as a part of this Bill of Complaint and Petition.

That the said David Justis died seized and possessed of both real and Personal Property, situate and being in Liberty District, being Election District No. 8, in Frederick County in the State of Maryland. That after the death of the said David Justis, his said wife Margaret Justis remained in the occupancy and possession of all said Property up to the time of her death, which occurred some time in the month of February A. D. 1878, under and by virtue of the provisions of the said last will