

and George Kline and Nancy Kline, his wife, of Washington County, Maryland, respectfully represents unto your Honors that some time in the year Eighteen hundred and fifty four, a certain Jacob Zentmyer Sr. of Frederick County, departed this life seized and possessed of, and the owner of, with other real estate, several tracts of land lying and being in Frederick County, Maryland, which tracts of land are fully described in certified copies of the deeds conveying them to the said Jacob Zentmyer as recorded among the Land Records of Frederick County, herewith filed marked Exhibits Nos. 1, 2, & 3, which Exhibits with all other Exhibits by Complainants herewith filed they pray may be considered as parts of this Bill of Complaint as fully as if set forth herein in words and figures. Your Complainants further represent and charge that prior to his death, to wit: On the twenty seventh day of April in the year Eighteen hundred and fifty three, the said Jacob Zentmyer executed his last will and testament in which among other things he bequeath and devised to his wife, Mary Zentmyer during her natural life, the rents and profits arising from the tracts of land described in said Exhibits No. 1, 2, & 3, and also authorized said tracts of land to be sold by the executor named in said last will and testament should his said wife so desire, and after the death of his said wife the proceeds arising from said sale, he by said last will and testament directed to be divided equally, then and there alike among his son Jacob Zentmyer and daughters Sarah, Mary Ann, Nancy, Elizabeth and Barbara Ellen, and that said tract of land were in no other way disposed of by the said Jacob Zentmyer, which last will and testament, on the \_\_\_\_\_ day of \_\_\_\_\_, in the year Eighteen hundred and fifty four, was duly admitted to probate by the Orphans Court of Frederick County, and letters testamentary were granted by said Court to the executor Jacob Zentmyer.

Your Complainants further represent that there was no power of sale contained in said last will and testament authorizing and empowering said Executor to make sale of the real estate or tracts of land mentioned in said Exhibits No. 1, 2, & 3, save and excepting the one contained in that clause above referred to, which reads as follows: "but should my wife desire to have the lands sold from which she is receiving the rents then my executor shall sell the same." all of which will appear by reference to a duly certified copy of said last will and testament herewith filed marked Exhibit No. 4. Your Complainants further represent and charge that said Mary Zentmyer now in her life time desired said executor to sell said tracts of land, and that she departed this life sometime in the month of August, in the year eighteen hundred and seventy six, that said real estate is yet unsold