

No 4488 Equity

Your Orator and Oratrix further charge that the said Alice Virginia Trundle and the said Silas H. Ward, William J. Ward, Charles M. Ward and John Henry Ward, children of said Mary Eliza Ward, and Thomas H. Ward father of said children and surviving husband of the said Mary Eliza Ward deceased, are all residents of Montgomery County, Maryland, and the said John Henry Ward is an infant under the age of twenty-one years.

Your Orators and your Oratrix further charge that the said Thomas H. Ward claims in right of his said wife an interest in said estate which claim is without foundation as your Orators and Oratrix believe and charge.

In consideration whereof and inasmuch as your Orators and Oratrix are without remedy in the premises except in a Court of Equity where matters of this nature are properly cognizable and relievable, to the end that the said clause of the said will may be construed and that the aforesaid grand-children of the said David Trundle, to wit, the children of the said Henry Trundle and of the said Mary Eliza Ward may be declared to have no interest in the said real estate and that a decree may be passed for a sale of said real estate and for a distribution of the proceeds arising from such sale among and between your Orator William H. Trundle, your Oratrix Henrietta Hammett and the said Anne Pritchey and the said Marcella Trundle equally. And that your Orators and Oratrix may have such other and further relief in the premises as their case may require, and to your Honor shall seem meet.

May it please your Honor to grant unto your Orators and Oratrix the writ of subpoena addressed to the said William Pritchey and Annie Pritchey his wife Henrietta Trundle, Mary Cordelia Haller and William Haller her husband, Henry Clayton Trundle all of Frederick County aforesaid, and Alice Virginia Trundle, Thomas H. Ward, Silas H. Ward, William J. Ward, Charles M. Ward and John Henry Ward, all of Montgomery County aforesaid, commanding them and each of them to be and appear in this Court, at some certain day to be therein named to answer the premises and stand to and abide such decree as may be passed herein, and may it also please your Honor to grant unto your Orators and Oratrix, all such other and further relief as their case may require and as to your Honor shall seem meet.

And as in duty &

May 1, 1879

William J. Maulsby Jr.

James M. Sherry

Solicitors for Compts.

Filed May 6, 1879.

Will

David Trundle dec'd

In the name of God Amen I David Trundle of Frederick County State of Maryland, do make and publish this my last will and Testament hereby revoking and making void, all former wills by me at any time heretofore made, and first I direct that my body be decently interred in Roman Catholic burying ground, in Frederick City according to the rite and ceremonies of said church, and that my funeral be conducted corresponding with my estate and situation in life, and as it has pleased God to bestow on me and my long wife a portion of the goods of this world I dispose of the same as follows. First I direct that all my debts and funeral expenses be paid as soon after my decease, as possible out of the first

Exhibit A.