

No. 4819 Equity.

Whitmore, now Susan R. Huffer, fifteen dollars to his brother John M. Whitmore, and the remainder to be divided into five equal shares to be divided as follows, one share to the children of his brother William Whitmore, one share to the children of his brother Nicholas Whitmore, one share to the children of his sister Mary Ann Hedger, one share to the children of his sister Ann Rebecca Schaeffer, and one share to the children of his sister Phoebe Ann Martz and said Testator appointed the said Ann C. Whitmore sole Executrix of his said last Will and Testament and your Complainants file herewith as part hereof a duly certified copy of said Will, marked Exhibit No. 4.

Your Complainants further state that the said Randolph M. Whitmore being indebted as aforesaid to your Complainants and also to various other persons in large sum of money, and being seized and possessed as aforesaid of the Real Estate mentioned in his said Will, departed this life in the year Eighteen hundred and seventy eight, leaving his said last Will unaltered and unrevoked.

Your Complainants further state that shortly after the death of said Randolph M. Whitmore his aforesaid Last Will and Testament was in due form of law admitted to probate before the Orphan's Court of Frederick County and letters testamentary thereon were in due form of Law by said Orphan's Court granted unto the said Ann C. Whitmore, who has in virtue thereof possessed herself of the personal estate left by the said Testator at the time of his death, some of which has been applied to the discharge of other proper debts of the deceased and the rest of which will be applied to the payment of the debts of your Complainants and others as these Complainants are informed and charge.

Your Complainants further state that said personal estate is not sufficient to pay all the debts due and owing by the said Testator, at the time of his death, and your Complainants are advised that the said personal estate still in the hands of said Ann C. Whitmore ought to be applied to the payment of the claims of your Complainants and of other creditors of said Randolph M. Whitmore so far forth as the same will extend and that any deficiency in the said personal estate ought to be supplied by a sale of the Real estate of their aforesaid debt-
or.

Your Complainants further state that said Ann C. Whitmore the Executrix, and one of the devisees is an adult, unmarried, living in Frederick County, that said John M. Whitmore is an adult, has no children and resides in Frederick County, that the children of William Whitmore are William Whitmore Jr. who is an adult and resides in Frederick County, Charles Whitmore who is an adult residing in Frederick County, Thomas Whitmore who is an adult residing in Frederick County, Christian Whitmore who is an infant under twenty one years of age residing in Frederick County, Jennie Whitmore who is an infant under twenty one years of age residing in Frederick County, Frank Whitmore who is an infant under twenty one years of age residing in Frederick County, Mattie Whitmore who is an infant under twenty one years of age, residing in Frederick County, Mary Whitmore who is an infant under twenty one years of age, residing in Frederick County, Blanche Whitmore who is an infant under twenty one years of age, residing in Frederick County, Keamy Whitmore who is an infant under twenty one years of age, residing in Frederick County, that the children of Nicholas Whitmore, are Marinda P. who is an adult residing in Frederick County, and Susan R. now the wife of Samuel S. Huffer,