

## No. 7949, Equity

marked exhibit no 3 devised said real estate here-<sup>in</sup> before mentioned, but made no provision in said will for the payment of the indebtedness due your Complainants and while it named one of the defendants, John W. Falk executor, of said will gave to him no power or directions to see the whole or any part of said real estate, for the purpose of liquidating her said indebtedness.

First:- That your Complainants are advised that they are entitled to have said real estate sold, by virtue of a decree of your Honorable Court and the proceeds arising therefrom distributed to the Creditors of the said Catherine Falk, according to their respective rights and interests and intents. To the end therefore First:- That an account may be taken, under the directions of this Court of said debts now due as aforesaid, to your Complainants, and to all other debts, which were due by said testatrix at the time of her death and which still remain unpaid and also of the personal estate and effects of the said testatrix, received by the said John W. Falk, as executor, aforesaid.

Second:- That the said personal estate may be applied in due course of Administration, in payment of the debts of the testatrix, due to your Complainants, and all other Creditors who may come in and contribute to the expenses of this suit. Third:- That the said real estate of the said Catherine Falk, deceased, or so much thereof as is necessary for the purpose, may be sold for the payment of the aforesaid debts, as may remain unsatisfied in the administration of her personal estate as aforesaid.

Fourth:- That your Complainants may have such other and further relief as the nature of the case may call for.

May it please your Honor, to grant unto your Complainants the writ of Subpoena, directed to the said, John W. Falk, Henry W. Falk, Wilhelmena C. E. Stanton, William Stanton her husband, Lawrence A. Falk, Olivia Falk, his wife, Mary M. Brown, Harry Brown, her husband, and Minnie Falk Nettie Falk, and Lula Falk, infants and John W. Falk executor, commanding them and each of them to be either in person or by solicitor in this Court on or before a certain day to be named therein to show cause, if any they have, why the decree ought not to be granted as prayed

Frank L. Flower  
Solr for Complainants