

endants, the only one out of all, refuses to assent to a sale of said property, and all hope of an agreement about a sale thereof is impossible.

6. That the aforesaid land and real estate is not susceptible or capable of division or partition among the said parties hereto without great loss and injury and it would be to the benefit and advantage of all concerned if the same were sold under a decree of Your Honorable Court.

Wherefore Your Complainants pray Your Honor to Grant them the following relief--

1. That the land herein mentioned be decreed to be sold by a trustee to be appointed by Your Honorable Court and the proceeds be divided among the parties hereto who are entitled to the same as their several interests may appear.
2. That Your orators and oratrices may have all such further and other relief as the nature of their case may require.

And for the following process--

That the writ of subpoena be issued out of Your Honorable Court directed to the said Dawson V. Hammond and Metta L. Hammond, his wife, both residents of Frederick County, Maryland, commanding them to be and appear in person or by solicitor on some day certain to be therein named, answer the preises, abide by and perform such a decree as may be passed therein.

And as in duty etc.

Stoner & Weinberg,

Solicitors.

State of Maryland, Frederick County to wit--

I hereby certify that on this 2nd day of August 1909, before me the subscriber, the Clerk of the Circuit Court for Frederick County, Maryland, personally appeared Edgar Hammond, Eugene Hammond, and Nicholas Percy Hammond, some of the Plaintiffs to this cause and made oath in due form of law that the matters and things therein contained in the above Bill are true.

Samuel T. Haffner.

Clerk of the Circuit Court for Frederick County Md.

EXHIBIT A.

In the name of God Amen. I Dawson V. Hammond, of Frederick County, in the State of Maryland, being of sound and disposing mind and memory and understanding do hereby make and publish this my last will and testament, in manner and form following, that is to say.

First and principally I commit my soul into the hands of Almighty God, and my body to the ----- to be buried at the discretion of my executrix hereinafter named and after my debts and funeral charges are paid, I give, devise and bequeath as follows--

Item I give and bequeath unto my beloved wife Ann Matilda Hammond, all my personal property of every kind, whatsoever and wheresoever, absolutely, in fee simple.

Item it is my desire and will that the proceeds arising from my real property shall be applied to the support of my wife Ann Matilda Hammond during her natural life.

Item And from and immediately after the death of my said wife Ann Matilda Hammond, I give devise and bequeath all my real property to such one or more of my children by my said wife Ann Matilda as may then be living, and to the lawful issue of any one or more of my said children who may then be deceased to be divided among them per stirpes and not per capita so that the lawful issue of any deceased child shall take the share which the parent, if living would have been entitled and no more.

And lastly I do hereby appoint my beloved wife Ann Matilda Hammond to be my sole executrix of this my last will and testament without bond, revoking and annulling all former wills by me heretofore made, ratifying and confirming this and none other to be my last will and testament.

In testimony whereof I have hereunto set my hand and affixed my seal this fourth day of January in the year eighteen hundred and ninety-five.

Dawson V. Hammond

(seal)

Signed, sealed, published and declared by Dawson V. Hammond the above named testator as and for