

entitled cause it was alleged that Zachariah T. Cromwell departed this life intestate, but it now appears that the said Zachariah T. Cromwell departed this life leaving a last will and testament, which has been filed for probate in the Orphans' Court for Frederick county, a duly certified copy of which will is herewith filed marked Exhibit "Will" and which is prayed may be taken and so considered as a part of this Amended Bill of Complaint.

2. That said Zachariah T. Cromwell having an interest in the real estate sought to be sold under a Decree of your Honorable Court, under the terms of his will (Exhibit Will) is directed to be sold by his Executor Jesse F.R. Heagy, and distributed as directed in said Exhibit.

WHEREFORE these Complainants pray:-

That a Subpoena in the usual form may be directed against the said Jesse F.R. Heagy, executor of the last will and testament of Zachariah T. Cromwell, deceased, commanding him to be and appear in your Honorable Court on some day certain to be named therein and to answer the allegations contained in the Original Bill of Complaint as well as the allegations contained in this Amended Bill of Complaint, and to show cause if any he has why a Decree should not be passed as prayed.

And as in duty &c.

Filed December 31st, 1915.

Charles C. Waters
Solicitor for Complainants.

EXHIBIT WILL

I, Zachariah T. Cromwell, of Frederick County, in the State of Maryland, being of sound and disposing mind, memory and understanding, do hereby make and publish this my last will and testament, in the manner and form following, that is to say: I give and bequeath unto the Trustees of the United Brethren Church in Walkersville, Maryland, all my estate, real, personal and mixed, the same to be sold by my executors and the money received therefor to be invested by the said Trustees, and from the income of the same the sum of Ten Dollars to be paid annually for the support of the Pastor of said Church, and if the income should not be sufficient then to apply as much of the principal as necessary so as to make Ten Dollars. Should the income exceed Ten Dollars annually then the excess of income to be applied to the current expenses of the Church.

I hereby constitute and appoint Jesse F.R. Heagy to be the executor of this this my last will and testament, to serve without bond, hereby revoking and making null and void all former wills by me heretofore made, ratifying and confirming this and none other as and for my last will and testament.

In testimony whereof I have hereunto affixed my hand and seal this 22nd day of December, A.D. 1913

Zachariah T. Cromwell, (SEAL)

Signed, sealed, published and declared by the above named testator as and for his last will and testament, in our presence, who at his request, in his presents of each other subscribe our names as witnesses hereto.

Witness.

Paul E. Holdcraft
Wm. C. Wachter

State of Maryland, Frederick County, to-wit:

I, Albert M. Patterson, Register of Wills for Frederick County, do hereby certify that the foregoing is a true copy of the Last Will and Testament of Zachariah T. Cromwell, late of Frederick County, deceased as recorded in Liber S.D.T. No. 2 Folio 136 one of the books of record in the office of the Register of Wills of Frederick County.

In Testimony whereof I hereunto subscribe my name and affix the seal of the Orphans' Court for Frederick County, this 29th day of December A.D. 1915.

ORPHANS'
COURT.

Filed Dec. 31' 1915.

Albert M. Patterson
Register of Wills for Frederick County.

EQUITY SUBPOENA

STATE OF MARYLAND, FREDERICK COUNTY To-Wit:

THE STATE OF MARYLAND.

To Jesse F.R. Heagy Executor &c. of Frederick County, Greetings: YOU ARE HEREBY COMMANDED, That all excuses set apart, you personally appear before the Judges of the Circuit Court for Frederick County, sitting as a Court of Equity, to be held at the Court House in Frederick, in and for Frederick County, on the FIRST Monday of January 1916, to answer the Bill and Complaint of Arthur H. Cromwell and Harriet E. Cromwell (For Sale of Real Estate) against you in said Court exhibited, and so forth.