

4. That it is desirable to sell said houses and lots, and there is no power in the will to sell, your petitioner is forced to ask the inter position of the Court of Equity to enable him to sell the same. That it will be to the advantage of the cestue que trust for life as well as for the remainder men or the tenants in fee. that it is property very liable to decay and depreciate and demands considerable repair and attention. The there is some demand for it now and think it can be well sold, That to sell the property and invest the proceeds will be greatly to the interests and advantage of the adult defendant and still more to that of the infant defendants. To the end therefore that the said Albert S. Attick, Mary E. Attick and Charles M. Attick may answer the premises and that your Honorable Court may pass a decree for the sale of the said real estate. May it please your Honorable Court to grant the writ of subpoena directed to the Sheriff of Frederick commanding a summons the said defendants to be and appear in your Honorable Court on a day certain to be therein named to answer the premises and abide by and perform such decree as may be passed therein and complainant will ever pray &c.

J. E. R. Wood
Solicitor for Complainants

Filed Feby. 15, 1890.

"C O P Y O F W I L L E X H I B I T N O. 1"

A copy of the last Will and Testament of Martha J. Attick, deceased.

I, Martha J. Attick, of Frederick City, Frederick County, State of Maryland, being advanced in years and in feeble health, but of sound and disposing mind, memory and understanding considering the certainty of death and the uncertainty of the time thereof, and being desirous to settle my worldly affairs and thereby be the better prepared to leave the world when it shall please God to call me hence, do therefore make and publish this my last will and Testament in manner and form following, that is to say;

First and principally I leave my soul in the hands of Almighty God and my body to be decently buried in the discretion of my Executor hereinafter named.

Secondly, I will and direct my Executor after the payment of my funeral expenses to pay all my just debts and obligations.

Item. I Will, devise and bequeath to my grand-daughter Mary Eva Attick out of the personal I may leave at my death the sum of Five Hundred dollars to be paid to her when she shall be twenty-one years old; the interest to be paid to her proper or legal Guardian or custodian annually if it is needed for her support or education, if not needed for her support or education, then the interest to be reinvested as it accrues 'til she is twenty-one and then paid to her.

Item. I will, devise and bequeath to my grand-son Charles Mayo Attick the sum of Three hundred Dollars out of the personal property I may leave at my death to be paid to him when he is twenty-one years of age; the interest on the same to be reinvested as it accrues unless it shall be needed in his support or education, when it shall be paid to him his legal guardian or custodian.

I will and direct that if I shall not leave sufficient personal estate to pay the said sums to my said grand-children in perpetuity of Five to Three, they shall have what personal estate I may may leave.

I will, devise and bequeath all the rest and residue of my estate, Real, Personal and Mixed to my friend Daniel J. Shellman in trust for the sole and separate use and benefit of my son Albert S. Attick during his life and after his death then to the use and benefit of my grand-children of the said Albert S. Attick, namely, Mary Eva Attick and Charles Mayo Attick. If however my son Albert S. Attick shall die before my said grand children are twenty-one years of age, they are to receive only the interest and income and the principal sum to be to them when they are twenty-one years old, and not before They are to each have one half.

Lastly, I hereby constitute and appoint my friend Daniel J. Shellman executor of this my last Will and Testament.