No.1011 - Equity.

of the said Charles Nolly, for the payment of said Judgment, and to resist the payment, of any money to the said William A, Cramer, Judgment Creditor, which question will arise when the proceeds of sale are about to be distributed,

8- That your Orators aver that the funeral expenses of the said Mary E, Nolley and the money advanced as part of the principal and interest, on said Mortgage, note of the said Charles Nolly, and Mary E, Nolly, his wife, both now deceased, are prior liens, on the real estate mentioned, in Exhibit No, 2 under the provisions, of the last will and tstament, of the said Charles Nolly Mentioned in Exhibit No,1,

9- That the said Charles Nolly and Mary E. Nolly. left surviving them and adult Son, George A, Nolly, as the only heir at law, and next of kin, a resi dent of the State of Pennsylvania,

WHEREFORE, your Orators pray your Honers to a pass a Decree appointing some suitable person Trustee, to make sale of the said real estate, or so much thereof as may be necessary,and directing the same to be sold, and that the proceeds arsing from such sale after the payment of Costs and Expenses, be distributed to the payment of the Debts, of the said Charles Nolly, and Mary E, Nolly his wife, in order of their legal priority, and in accordance with the provisions, of the last will and Testament, of the said Charles Nolly, and the surplus, if any to the person or persons, entitled therete,

And for such Other and further relief as the nature and Equity of their cas may require,

May it please your Honers to grant unto your Orators the writ of Subpoena in the usual form commanding the said George A, Nolly and also The Franklin Savins Bank, A body Corporate, Mortgagee, and William A, Cramer, Judgment Cred iter, all residents of Frederick County, Maryland, to be and appear in your Honerable Court, in person or by Solicitor on some day certain to be named there in. to answer the premises and show cause if any they have why a decree should not pass as prayed,

And as in duty bound,etc.,

Rene S, Harp.
Solicitor for Complainants.

E X H I B I T,No.I

Copy of will,

IN THE NAME OF GOD AMEN.

I,Charles Nolly of Frederick County, in the State af Maryland, being of sound and disposing mind, memory and understanding, considering ~~of~~ death and the uncertainty of time thereof, and being desireous, to settle my worldly affa irs, and thereby be the better prepared, to leave this world when if 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;-

After my debts and funeral Charges are paid I give devise and bequeath to my wife, Ellen Nolly, the whole of my estate, both real and personal of which I may die seized and possessed, to her during her life time, after her death, the real and personal property, after all debts and funeral Charges have been--- i bequeath to my son, George Nolly, Lastly I do ~~bequ~~ constitute and appoint my wife, the aforesaid, Ellen Nolly, to be sole executrix, of this my last will and Test ament,

In Witness whereof i have signed and sealed and published and declared this Instrument as my will at ~~Ca~~ Oayeville, Maryland, on the 4th day of March in the year of our Lord, one Thousand Nine Hundred and one,

Chayles his mark Nolly (seal)