

No. 10259, Equity,

Of a tract Called " The Resurvey on Changeable, " and part of a tract called " Black Acre " and being the same real estate which was conveyed to said decedent from John L, Boyer, et al., Executors, by deed dated March 11th 1869, and recorded in Liber C.M, No,3, at folio 136, one of the Land Records of Frederick County, less the part conveyed by said Decedent, to Jesse Davis, by deed dated August 12- 1870, and recorded in Liber C.M, No,6, at folio 127, one of the Land Records of Frederick County, a certified copy of the deed to said decedent, marked " Exhibit B," is filed herewith as part of this Bill,

6 That said Alfred W, Davis died withou leaving sufficient personal property, to pay his debts, and the costs of administration, as will appear from reference to a certified copy of the Administration account, filed herewith, as part of this Bill, and Marked " Exhibit C" That your Orators, paid all the claims of the various Character ag inst the Estate, of said decedent, and are entitled to be subrogated to the rights of the various Creditors,

7- that said Real Estate and the improvements thereon are depreciating in value, and it would be advantageous to the parties concerned that said real estate be sold and the proceeds of sale, invested so as to inure to use of same parties, as would be entitled to the lands under the provisions of said will,

8- that your Orators are entitled to have said land, and real estate sold for the paym of said debts,

To The End therefore,

(1) That the real Estate of the said Alfred W, Davis, or as much thereof as may be necessary for the purpose, may be sold for the purpose and payment of the Claims of your Orator those of the other unsatisfied creditors of said decedent,

(2) That your Orators may have such other and further relief as the nature of their case may require,

and may it please your Honors to grant unto your orators the order of publication giving notice to the said Chauncey Hyatt, and Elsie, both of the State of New York, and who are Non-residents, of the State of Maryland, of the object and substance of this Bill, and warning them to appear in this Court, in person or by Solicitor, on or before a certain day, to be named therein, to show cause if any they have, why a decree ouht not to pass as for in said Bill, And also that the Writ of Subpoena as prayed for in said Bill. And also that the writ of Subpoena directed to the said John W, Davis, Annie Davis, Elmira Davis, William Talbot Ida M, Trail, Ashford Trail, Fannie Whipp, Frank Whipp, Amelia Brown, and Andrew Brown, all adults and residents of ^{said} Frederick County, rosie B, Savis, Ida Yingle, and Belle Davis, and adults, and Lottie May Davis, infants, and residents of Montgomery County, Maryland, commanding them and each of them to be and appear, in this Court, on or before a certain day, to be named therein, to show cause if any they have, why a Decree ought not be passed as prayed,

and as in duty etc.,

H.K, DeLauter,
Solicitor for Complainants,

Exhibit. A,
Copy of Will,

IN THE NAME OF GOD AMEN.

I Alfred W, Davis, of Frederick County, in the State of Maryland, being weak in body but of sound and disposing mind an 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 this 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 commit my soul into the hands of Almighty Gbd, and my body to the earth, to be decently burried at the discretion of my Executors, hereinafter named, and after my debts and funeral Charges are paid, I devise and Bequeath, as follows;

2nd, I give and bequeath unto my wife, Henrietta R, my Farm, of about Seventy five acres on which i now reside, and also all my personal property, and effects, of whatever kind in Trust, during her life, as a widow, or widowhood, with the Distinct understanding that the proceeds and profits therefrom shall be used for the Maintenance and support of herself, and my Four Daughters, now living and single, that is to say, Amelia F, Davis, Cora L, Davis, Fannie B, Davis, and Elmira K, Davis, But ^{and} if either of them of my daughters as follows; Amelia F, Davis, Fannie B, Davis, or Elmira K, Davis, shall marry during my said wifes widowhood, the the said daughters as marrying shall cease to receive, support from the proceeds of said Farm and personal property,