I will devise and bequeath all my property and estate of every character and description and wheresoever situate to my wife,Lizzie R.McHagan,with full power to handle and dispose of the whole or any portion of my said estate for her comforts and pleasure,at her will and pleasure; The whole or such portion of my said property and estate,as may remain,at the death o of my said wife,I will,devise and bequeath to my nephews and nieces to take the share and & guardianship of the cild or children of any deceased nephew or niece,.

FOURTH; That it is necessary that your Complainant use part of the corpus of said estate consisting of dwellinghouse located on W.Fourth Street,Frederick,Maryland,for her confort and pleasure as contemplated by the terms of said last Will and Testament.

FIFTH;- That your Complainant claims the right and privilage under the terms of said last Will and Testament to sell,transfer or dispose of the corpus of said estate pr mortgage or create a lien thereon for her use,comfort and pleasure,with right and privilage is disputed and denied by the Defendants who are the remaindermen under the terms and provisions of said last Will and Testament.

SIXTH; Wherefore your Complainant invokes the aid and jurisdiction of your Honorable Court to determine the question of her rights,title and interest in said property and wherever or not she has the legal right and power to sell and transfer mortgage or incumber the same by creating a judgment on said property. Said use of the property so devised after said last Will and testament being denied by the Defendants.

TO THE END THEREFORE;

1. That said last Will and Testament Exhibit No.1 filed in this cause may be construed by your Honorable Court and a Decree passed herein determining the right of your Complainant to sell,transfer,dispose of mortgage or create a lien thereon by Judgment.

2. And for such other and further relief as the case may require.

May it please your Honors to grant unto your Complainant the Writ of Subpoena directed to Charles Hagan,David Hagan,Mary Hagan,Grace Hagan,Edith Hagan,all adults,residents of Frederick County and Sadie Lewis of Hagerstown,Washington County,Maryland,and Agnes Hagan of Taneytown,Carroll County,Maryland,requiring them and each of them to be and appear in your Honorable Court on some day certain to be named in said Writ,answer the premises,abide by and perform such Decree as may be passed herein and that the Order of Publifation may issue directed to the nonresident Defendants,Bruce Hagan and Ruth Hagan,residents of the State of New York and Harry Hagan,resident of the State of Indiana and nonresidents of the State of Maryland,warning them of the object and substance of this Bill and of Complaint and requiring them to be and appear in your Honorable Court on some day named in said Order of Publication and show cause,if any they may have,why the relief prayed for in this Bill of Complaint should not be granted.

(Filed May 27,1925)

Stoner & Storm
Attorneys for Complainant.

WILL EXHIBIT NO.1/

I,Charles McHagan,of Frederick County,Maryland,do hereby make and publish my last Will and Testament,in manner and form following;

That is to say,after the payment of all my just debts and funeral expenses,I will,devise and bequeath,all the rest and residue of my property and estate as follows;

ITEM; I will devise and bequeath all my property and estate,of every character and description and wheresoever situate to my wife Lizzie R.McHagan,with full power to handle and dispose of the whole or any portion of my said estate for her comfort and pleasure,at her will and pleasure; The whole or such portion of my said property and estate as may remain,at the death of my said wife,I will,devise and bequeath to me nephews and nieces,share and share alike, the child or children of any deceased nephew or niece to take the portion the parent would have taken,if living.