

4. That your Orators are informed and believe and say that the said personal estate is not sufficient to discharge all the just debts due and owing by the said Lee W. Morgan, at the time of his death, but they are advised that the same, now in the hands of the said John W. Morgan, executor, ought to be applied to the payment of the claims of your orator and other creditors of the said Lee W. Morgan, so far as the same will extend, and that any deficiency in said personal estate ought to be supplied by a sale of all, or such part as may be necessary, of the real estate of the aforesaid debtor, the real estate referred to being that described in the deed from George C. Frushour and Ann S. Frushour, his wife, dated March 30, 1893, to Lee W. Morgan, and Ida M. Morgan, his wife, and duly recorded in Liber J.L.J.5, folio 232, one of the Land Records of Frederick County, that said Ida M. Morgan died more than 20 years ago and said real estate then became, and until the death of the said Lee W. Morgan, was the property of the said Lee W. Morgan, in fee simple.

The said deed is filed herewith as part hereof, marked "Exhibit G".

5. That the said John W. Morgan, Executor &c., the widow, Nannie R. Morgan, and all of the heirs at law would like to see all of the just debts of the said Lee W. Morgan paid, but, the personal estate being insufficient and some of the heirs being infants under the age of twenty-one years, the aid of your Honorable Court, is necessary to adjust the estate and claims of creditors.

To the end, therefore,

That the said real estate of the said Lee W. Morgan, deceased, or so much thereof as may be necessary for the purpose, may be sold for the payment of so much of the aforesaid debts as may remain unsatisfied by the application of the personal estate as aforesaid.

That the said personal estate may be applied in due course of administration, in payment of the debts of the interstate due to your creditors and all other creditors who may come in and contribute to the expenses of this suit.

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 writ of subpoena directed to the said Beulah Spurrier and Roland Spurrier, Walkersville, Md. Stella Donsife and Robert Donsife, Woodsboro, Md., Mamie Eyler and Erasmus Eyler, Thurmont, Md., adults, and to Lee P. Morgan, Dorothy Morgan, Salisbury, Donald Morgan and Kenneth Morgan, Infants, 107 E. 3rd St Frederick Co, Md, commanding them, and each of them, to be and appear, either in person or by solicitor, 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 to be passed as prayed.

And as in duty bound, &c.,

(Filed January 22, 1929)

Sherman P. Bowers.
Solicitor for Complainants.

"EXHIBIT E"
"EXHIBIT F"

LAST WILL AND TESTAMENT OF LEE W. MORGAN

In the name of God, Amen;-

I, Lee W. Morgan, of the County of Frederick, State of Maryland, being of sound and disposing mind memory and understanding, do hereby make and publish this my Last Will and Testament, in manner and form following;

1. I commit my soul into the hands of Almighty God and my body to the earth to be decently buried at the discretion of my executor. and my Will is, that all my just debts and funeral expenses shall be paid by my executor as soon after my decease as shall be convenient;-

2. I hereby give, devise and bequeath unto my wife, Nannie R. Morgan, to have and to hold during her natural life, and no longer, all of my estate and property of whatsoever kind and where soever situated, my intention being to give my wife a plain life estate in and to all of my estate.