

and in accordance with the rights of the parties. And for such other relief as the nature and equity of their case may require.

May it please your Honors to grant unto your Complainants the writ of subpoena directed to the Sheriff of Frederick County against the said Antoinette C. Markell and John Usher Markell, infants, commanding them and each of them to be and appear in your Honorable Court on some certain day to be therein named to answer the premises and abide by and perform such decree as may be therein passed.

And as in duty bound etc.

(Filed December 12, 1912.)

George R. Dennis Jr.  
Solicitor for Plaintiffs.

EXHIBIT "A"

I, Francis Markell of Frederick County State of Maryland do make, ordain and publish this my last will and testament in manner and form following to wit; - After my just debts and funeral expenses are paid I give devise and bequeath as follows;

I give devise and bequeath to my wife Caroline M. Markell for and during her life, all my Estate, real, personal and mixed After her death, I give devise and bequeath all my Estate to my children then living, and to the lawful descendants of any child, who may then be dead to be divided, per stirpes and not per Capita, I authorize and empower my said wife, to sell and convey any, or such parts, or all of my real estate the proceeds thereof to be invested, and the interest thereon. I bequeath to my said wife during her life and after her death I give and bequeath the principal, to my children then living, and the lawful descendants of any child who may then be dead, to be divided per stirpes and not per Capita.

I authorize and empower my said wife, whenever any of my children shall attain full age, in his discretion to advance such portion of their bequests as she may think proper, and such so advanced, shall be charged therewith in the final distribution of my estate.

I constitute and appoint my wife Caroline M. Markell, to be sole Executrix of this my last Will. In testimony whereof I Francis Markell have hereunto subscribed my name and affixed my seal this Eighth day of August in the year Eighteen hundred and Seventy Six.

Francis Markell (seal)

Signed, sealed published and declared by Francis Markell the above named testator in our presence as and for his last will and testament who at his request in his presence and in the presence of each other have hereunto subscribed our names as witnesses hereto.

W. J. Ross  
Chas. W. Ross  
Harry C. Keefer,

State of Maryland, Frederick County, to-wit; -

I Hereby Certify. That the foregoing is a true copy of the last Will and Testament of Francis Markell, late of Frederick County, deceased, as the same has been duly admitted to probate and recorded in Liber J. P. P. No. 1, Folio 434, one of the Books for Recording Wills in the Office of the Register of Wills for Frederick County, Maryland.

In Witness Whereof, I hereunto subscribe my name and affix the seal of the Orphans Court of Frederick County, Maryland, this Seventh day of December, in the year of our Lord One thousand nine hundred and twelve.

Test; Samuel D. Thomas  
Register of Wills for Frederick County, Maryland.

(Filed December 24, 1912)

(EXHIBIT "B")

At the request of John U. Markell Edwin C. Markell and William A. Markell the following Deed is received for record and recorded December 1905 at 2.25 O'clock P.M.

Test; Samuel T. Heffner, Clerk.