A deceased brother Henry Smith who died in the year 1918 and left surviving him the following children,nephews and nieces of CyrusF.Smith,as follows; Beulah Klingan ahose husband8s name is Samuel Klingan,and who resides at Taneytown,Maryland; Vernon Smith,unmarried,who resides at Taneytown,Maryland;

A deceased brother,Albert Smith who died before the decedent and left the following children nephews and decedents,namely,Donald Smith,whose wife's name is Eleanor Smith,and a son Robert Smith who is unmarried,all of whom reside at Fairfield,State of Pennsylavania.

Also a deceased sister,Annie Martin who predeceased the decedent,leaving the following children,nephews and nieces,of the decedent,Cyrus F.Smith,to-wit; Robert Martin whose wife's name is Elizabeth Martin,and who reside at Thurmont,Maryland; Stewart Martin whose wife's name is Fannie Martin,and who reside at Thurmont,Marylabd; Fannie Thomas,whose husband's name is Harry Thomas,and who reside at Hagerstown,Maryland; Annie Cook whose husband's name is John Cook, and who reside at Hagerstown,Maryland,Harry Martin whose wife's name is Carrie Martin,and who reside at Hagerstown,Maryland; Rose Favorite whose husband's name is Preston Favorite,and who reside at Thurmont,Maryland; Maude Cook whose husband's name is Alvie Cook,and who reside at Hagerstown,Maryland; Joseph Martin whose wife's name is Violet Martin,and who reside at Hagerstown; Maryland; Bruce Conner,whose husband's name is Pester Conner,and who reside at Hagerstown Funkstown,Maryland;

Also a deceased sister,who predecased the decedent,Amelia Angel,leaving the following children,nephews and nieces,of said decedent,Cyrus F.Smith,to-wit; Harry Angel,widower,who resides at Harney,Maryland; Fannie Reifsnider whose husband's name is Jesse Reifsnider,and who reside in Baltimore City,Arthur Angel whose wife's name is Mamie Angel,and who reside at TAneytown Maryland; Nora Witherow whose husband's name is Charles Witherow,and who reside in the City of Washington,D.C.

All of the aforegoing Complainants and Defendants being adults over the age of twenty-one years

FOURTH; That said real estate of which Cyrus F.Smith died seized and possessed is incapable of division among the parties entitled without great loss and injury and it would be to the benefit and advantage of all the parties of interest that said real estate be sold under a Decree of your Honorable Court and the proceeds arising therefrom be divided among them according to their respective interests.

TO THE END,THEREFORE,

1st. That a Decree may be passed by your Honorable Court decreeing the sale of the aforementioned real estate and a Trustee may be appointed to sell the same and distribute the proceeds arising therefrom among the parties entitled according to their respective interests.

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

May it please your Honors to grant unto your Complainants the Writ os Subpoena directed to the several Defendants mentioned in the foregoing Bill of Compalint,requiring them and each of them to be and appear in your Honorable Court on some day certain to be named in said Writ and show cause,if any they may have,why the relief prayed for in the aforegoing Bill of Complaint should not be granted.

(Filed November 6,1929)

Stoner & Storm
Solicitors for Complainants.

Exhibit No.1.

At the request of Cyrus F.Smith the following Deed is received for Record and Recorded March 30th 1904,at 11.45 O'clock A.M.
Test; Samuel T.Heffner, Clerk.

This Deed made this Twenty-Ninth day of March in the year Nineteen Hundred and four by me Eugene L.Rowe,Trustee as hereinafter set forth.