

reference to a certified copy of said option duly recorded in the Office of the Register of Wills for said County, in Will Book J.K.W. No. 2, folio 50, a certified copy of which said option is filed herewith as part hereof marked "Exhibit D".

Fourth: That the said Fanny McP. Dennis being so seized and possessed of said two tracts of land departed this life on the 31st day of January A. D. 1930 and by her last will and testament dated the 14th day of November 1914 and duly recorded in Will Book C, H.B. No. 1, folio 171, one of the Record of Wills in the office of the Register of Wills of Frederick County did devise after the payment of her just debts and funeral expenses as follows:

"I give and devise unto my sons, John M. Dennis, George R. Dennis, Jr., and Archibald R. Dennis, or to their heirs, in the event that any of them should be dead at the time of my death, my two farms situate in Urbana District in Frederick County, Maryland, the one known as "FAT OXEN" which was devised to me by my sister, Ann G. Ross, containing about two hundred and seventy-three acres of land, and the other known as "Division No. 2, part of Hampton", and received by be in the partition of Hampton, containing One Hundred and Sixty-four acres of land, more or less, and duly described in Liber T. G. No. 12, Folio 2, one of the Land Records of Frederick County, Maryland, upon condition however, that my said sons, or their heirs, upon the acceptance of said farms, pay into the hands of my trustee hereinafter named, the sum of thirty-three hundred dollars, jointly, that is to say that each of my aforesaid children, or their heirs, shall pay eleven hundred dollars, apiece, which sum shall be held by my said trustee hereinafter named for the purposes hereinafter mentioned." All of which will more fully appear by reference to said certified copy of will herewith filed and marked "Exhibit E".

Fifth: That the said Fanny McP. Dennis was survived by the said John M. Dennis Jr., and George R. Dennis Jr., the said Archibald R. Dennis having predeceased her and leaving as his heirs at law, his widow, Esbell Owings Dennis, of Howard County, Maryland, his sisters of the half blood, Fanny J. Rogers, of Baltimore County, State of Maryland, and Alice McP. Richardson, of Charleston, West Virginia, his niece, Charlotte P. Smith, the only heir of her mother, Charlotte P. Smith, deceased and a sister of the half blood, of Frederick City, Maryland, his brothers, John M. Dennis of Baltimore County and George R. Dennis Jr, of Frederick County, T. Jennings Dennis of Baltimore City, and two sisters, Mrs. Anne G. Smith of Frederick City, and Elizabeth U. Briscoe of Prince Georges County, all in the State of Maryland, who took the said two farms devised in said Will subject to a charge of Thirty-three Hundred Dollars, set forth therein.

Sixth: That the said decedent's personal property, money in Bank and stocks, amounted to Thirteen Hundred and Sixty-six Dollars and Twenty-seven Cents (\$1366.27) and her debts existing during her lifetime to an amount over Eighteen Thousand Dollars, which includes those of John M. Dennis for Eighty-Six Hundred and Ninety-two Dollars and fourteen cents and George R. Dennis Jr., Trustee, for Thirty-two Hundred Dollars, two of the complainants in this proceeding, claims for which have been duly authenticated according to law, passed by the Orphans Court of Frederick County, and filed on the Claims Docket in the office of the Register of Wills, of said County, against said Estate, a certified copy of which is filed herewith and Marked "Exhibit F".

Seventh: That said decedent's personal property being insufficient to pay her debts and costs of administration it will be necessary for the satisfaction thereof to sell her real estate under a decree of your Honorable Court and apply the proceeds of sale first to the payment of said debts, then to the payment of the charges against said real estate and distribute the residue to the parties entitled thereto as their several interest shall appear.