

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

May it please your Honors to grant unto Complainant the writ of Sub poena, directed to the said Donald Miller, Rosella Miller and Carl Miller, infants, residing in Frederick 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 therein.

FRANK L. STONER
SOLICITOR FOR COMPLAINANT.

(Filed April 14, 1920)

EXHIBIT NO. "1".

In the name of God, Amen. I Samuel Miller of Jno. P. Miller, of Frederick County, in the State of Maryland, being sick and weak in body but of sound and disposing mind memory and understanding, considering the certainty of death and the uncertainty of the time thereof, and being desirous to settle my worldly affairs, and thereby be the better prepared to leave this world when it shall please God to call me hence do therefore make and publish this my last will and Testament in manner and form following, that is to say:

First and principally, I commit my soul into the hands of Almighty God, and my body to the earth to be decently burried at the discretion of my executor hereinafter named, and after my debts and personal charges are paid, I devise and bequeath as follows.

Item. I devise and bequeath to my son William H. Miller, in fee simple all the lands and premises I obtained from from Dennis Handly and Wife, on the 14th day of October 1843, and from Gebrge Bukenbarg, Trustee, on the 18th day of September 1844, for six and a quarter acres, and in addition I further devise and bequeath to my said son Wm. H. a strip along the West side of the said $6\frac{1}{4}$ Acres of the width of one perch from a lot hereafter devised to my son Martin from the County rode, One hundred and eight yards to neat a stable. I also devise to my said son Wm. H. one acre from the south East Conor of said 8 acre lot to be laid off square.

I also give and bequeath to my son Wm. H. the One half of the timber on the Lot hereinafter devised to my son Martin.

Item. I devise give and bequeath to my son Martin in fee simple the lot of land and premises conveyed by Damuel Shuff to me on the 12th day of March 1857, containing 8 Acres less 1-1/8 acre devised to my son Wm. H. I also devise and bequeath to my son Martin the lot conveyed to be leg John B. Kunkel and wife for 3/4 acre of land and I hereby make it obligatory on my sons Wm. H. and Martin to pay the debts and funeral charges equally between them.

And lastly I do hereby constitute and appoint my son Wm. H. Miller Executor of this my last will and testament revoking and annulling all wills by me heretofore made, retifying and confirming this and none other to be my last will and testament.

In testimony whereof, I have hereunto subscribed my name this 31st day of December, in the year of our Lord One thousand eight hundred and seventy nine.

his
Samuel (X) Miller (SEAL)
mark

Signed, sealed and published by Samuel Miller Testator as and for his last will and testament, who in his presence at his request and in presence have hereunto subscribed out names as witnesses thereof.

George L. McKinze
John H. Humrick
Leonard Picking

True Copy,

TEST:-

Albert M. Patterson
Register of Wills for Frederick County.



(Filed April 14, 1920)