1st. All that real estate willed by Berand Lewis to Alfred Lewis for life and in remainder to John Lewis and Albert Lewis as tenants in common the said Alfred Lewis having died about three years ago, Said real estate is fully described in Exhibit No. 1, and which is asked to be taken as a part hereof and is filed herewith.

The said Alfred Lewis having complied with all the requirements contained in said will. Said will is recorded in W. B. C. No. 1, Folio 568, one of the Records of Wills in the office of Register of Wills for Frederick County, Maryland.

2nd. All that real estate of which the said Alfred Lewis died intestate seized and possessed about three years ago. and leaving as all his heirs at law John Lewis the complainant, Albert Lewis the defendant of Frederick County, Maryland and Hattie M. Miller of the State of Illinois.

3rd. That afterward to wit on the 7th day of May 1928 the said Hattie M. Miler and George Miller her husband deeded to the said John Lewis and Albert Lewis all her right, title and interest in and to all that real estate described in Exhibit No. 2, filed herewith, and asked to be taken as a part hereof, wherein is described all the real estate of which the said Alfred Lewis died seized and possessed. A part of said real estate is described in Exhibit No. 3 and Exhibit No. 4, and asked to be taken as a part hereof and that the deed to Alfred Lewis of the small mountain lot described in Exhibit No. 2, and which was deeded to the said Alfred Lewis by J. Fred Nelson and John C. Motter, Trustees and dated May 9th, 1883, was never recorded and has been lost or mislaid.

That all the described real estate lies in Hauvers District in Frederick County and contains in the aggregate about 157 acres of land more or less and is worth about four thousand dollars.

4th. That said real estate cannot be divided among the parties entitled thereto without great loss and injury.

The said John Lewis prays for the following relief:

(1) That your Honorable Court may pass a decree herein that said real estate be sold at public auction.

(2) That the proceeds from said sale be distributed among those entitled as their interests therein may appear

(3) That a trustee may be appointed to make said sale and distribution

(4) And for such other and further relief as the nature of this case may require.

And he prays the following process:

That a Writ of Subpoena mayissue out of your Honorable Court, directed to the said Albert Lewis, who resides on Hauvers District, in Frederick County, commanding him to be and appear in person or by solicitor in your Honorable Court, on or before some day certain to be named therein, to show cause if any he has why a decree ought not to pass as prayed.

Samuel A. Lewis

Solicitor for John Lewis

(Filed February 7, 1931)

EXHIBIT NO. 1

I, Bernard Lewis of Frederick County in the State of Maryland, being of sound mind memory and understanding do make, publish and declare this my last Will and Testament, in the manner and form following, to-wit:

1st. I commit my soul into the hands of Almighty God, and my body to the Earth, to be decently buried by my Executor hereinafter named, and after my debts and funeral expenses are paid I devise and bequeath as follows:

Item 1st. I give and bequeath unto Alfred Lewis (my nephew) the Home Farm on which I now reside together with all the household furniture and personal property on said farm, The said Home Farm, commonly known as the "Moser Place" contains about 34 acres of land.