respectfully shows:

FIRST: That he admits all the allegations of said Petition as therein set out.

Having answered all and singular the allegations of the said Petition he prays to be hence dismissed with his proper costs.

And as in duty bound, etc.

Samual A. Lewis
SOLICITOR FOR JOHN LEWIS

(Filed September 14, 1931)

ANSWER OF ALBERT LEWIS

| | | |
|---|---|---|
| JOHN LEWIS | " | No. 12194 Equity |
| VS. | " | IN THE CIRCUIT COURT FOR FREDERICK COUNTY |
| ALBERT LEWIS | " | SITTING AS A COURT OF EQUITY |

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The answer of Albert Lewis by Alton Y. Bennett, his attorney, to the Petition of Hattie Miller, respectfully shows:

FIRST: That he admits the allegations contained in the first and second paragraphs of the said Petition.

SECOND: That he denies the allegations of the third paragraph of the said Petition.

THIRD: That he neither admits nor denies the allegations contained in the fourth paragraph of said Petition.

FOURTH: That he further desires that the certified copy of the will filed as Exhibit No. 1, in this case be construed by the Court.

Having answered all and singular the allegations of the said Petition he prays to be hence dismissed with his proper costs.

And as in duty bound, etc.

Alton Y. Bennett
SOLICITOR FOR ALBERT LEWIS

(Filed September 14, 1931)

OPINION AND COURTS ORDER

| | | |
|---|---|---|
| John Lewis | " | No. 12194 Equity |
| vs. | " | In the Circuit Court for Frederick |
| Albert Lewis | " | County, in Equity. |

The above cause coming on to be heard and having been submitted by counsel for the respective parties, the papers and testimony filed in said cause were by the Court read and considered.

The Bill of complaint filed on February 7, 1931, proceeds on the theory that the two original parties to the cause, John Lewis, plaintiff, and Albert Lewis, defendant, are the sole owners as tenants in common of all the real estate described in said bill.

The petition of Hattie Miller filed on September 3, 1931, asking tobe made a party plaintiff, alleges that she is an adult daughter and heir at law of Alfred Lewis, deceased, and as such is entitled to a one-third undivided interest in certain real estate described in the last will of Bernard Lewis, marked Exhibit No.1 to the bill of complaint, in which said real estate was devised to the said Alfred Lewis in the language,following, to-wit:

"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. Also the timber land adjoining said home farm, (purchased by me from Ezra Moser) containing 55½ acres, more or less, making 89½ acres, more or less.

"The said Alfred Lewis to have and to hold during his life, after his death the said property to go to Albert Lewis and John Lewis (sons of the said Alfred Lewis) tobe shared equally between them. The said Alfred Lewis shall pay to David Lewis the sum of $300, to Denton E. Lewis