

and the legacies mentioned in said Will, it will be necessary to sell the real estate of the said Charles A. Staley.

17- That said real estate is not susceptible of partition or division without material loss and injury to the parties entitled to interests therein as above stated, and that, in order to make division of said interests, it will be necessary that said real estate be sold, and the proceeds thereof divided amongst the parties according to their several interests.

TO THE END, THEREFORE:

(1) That a decree may be passed for the sale of said real estate.

(2) That the proceeds of said sale may be administered and distributed to the parties entitled thereto according to the terms of said Will and the laws of Maryland.

(3) That your Orators may have such other and further relief as their case may require.

May it please your Honors to grant unto your Orators the order of publication, giving notice to the said George W. and Agnes Hoffman Orphanage, a body corporate, of Littlestown, in the State of Pennsylvania, a non-resident of the State of Maryland, of the object and substance of this Bill, and warning it to appear in this Court, in person or by solicitor, on or before a certain day, to be named therein, to show cause, if any it has, why a decree should not be passed as prayed; and also the writ of subpeona, directed to the said Mollie M. Staley, Frances C. Smith, and George I. Smith, her husband, adult residents of Frederick, Maryland, and the Mount Olivet Cemetery, a body corporate of Frederick, Maryland, and the Evangelical Reformed Church, a body corporate, of Frederick, Maryland commanding them, and each of them, to be and appear, either in person or by solicitor, in this Court, on or before a certain day, to be named therein, to show cause, if any they have, why a decree should not be passed as prayed.

And as in duty bound, etc.,

Holden S. Felton

Solicitor for Plaintiffs

STATE OF MARYLAND, FREDERICK COUNTY, to-wit:

I HEREBY CERTIFY, That on this 28 day of September, 1943, before me, the subscriber, a Notary Public of the State of Maryland, in and for Frederick County, personally appeared Irving E. Staley, Executor, above-named Complainant, and made oath in due form of law that the matters and things contained in the foregoing Bill of Complaint are true to the best of his knowledge and belief.

WITNESS my hand and Notarial Seal.

Notarial

Edith E. Wickham

Notary Public

Filed September 29, 1943

LAST WILL AND TESTAMENT

"EXHIBIT NO. 1"

I, CHARLES A. STALEY, resident of Frederick City, in Frederick County, in the State of Maryland, do make, publish and declare this to be my last Will and Testament, in manner and form following, that is to say;-

After the payment of all my just debts and funeral expenses, I give, devise and bequesth all of my property and estate, of every kind, character, and description, of which I will die seized and possessed, and to which I may in any manner thereafter be entitled, as follows;-

I give my gold watch and chain unto Charles Irving Staley, the son of my brother, Irving E. Staley.