

on this 3rd day of May, 1949, by the Circuit Court for Frederick County, Sitting as a Court of Equity and by the authority thereof, ORDERED, ADJUDGED and DECREED that the Circuit Court for Frederick County hereby assume jurisdiction of the trusts mentioned in the foregoing Petition.

Patrick M. Schnauffer
Judge

Filed May 3, 1949

EXHIBIT NO. 1

I, William D. Lipps, of Frederick City, Frederick County, State of Maryland, being of sound and disposing mind, memory and understanding, do hereby make, publish and declare this as and for my last will and Testament, in manner and form following, to wit:

After the payment of all my just debts and funeral expenses, I give, bequeath and devise as follows.

I give and bequeath to my daughter Edna Marie Reese my automobile.

I give and bequeath to my son Alton J. Lipps all of my tools and machine tools.

I give, bequeath and devise all the remainder of my estate real, personal and mixed, wheresoever situated, lying or being and whether in possession or expectancy unto the executrix and executor of this my last Will and Testament, in trust and confidence never-the-less for the special use and benefit of my wife Florence M. Lipps throughout her natural life. The said executrix and executor are to receive, hold and manage the said portion of my estate and the income therefrom in trust for the special use and benefit of my said wife Florence M. Lipps and the income arising from the said portion of my estate I order to be paid by the executrix and executor to my wife Florence M. Lipps, from time to time as the same may become due, for and during her natural life and for her own use and benefit.

I hereby authorize and direct the said executrix and executor to manage and control my estate as they shall deem best for the interest of my wife, and they shall have power to sell, assign, transfer, invest and re-invest as they may think wise, with the direction of the proper authority from the proper court.

Upon the death of my wife Florence M. Lipps, the said trust shall cease and end with the exception below noted, and the executrix and executor shall have power to convert the whole of my estate into money for distribution. It is my order that one-third of my estate shall then go to my daughter Edna Marie Reese of Frederick, Md. One-third to my son Alton J. Lipps of Frederick, Md. and should my son Ralph F. Lipps at that time be living with or supporting his family the remaining one-third shall be delivered to him. However, should my son Ralph F. Lipps not be living with or supporting his family at the time of the final distribution of my estate, then it is my order that the executrix and executor shall have the right to decide whether this third share shall be paid to my son Ralph F. Lipps or to his children. If it is their judgment that for the best interest of his children it should be paid to them, then that third share I order the executrix and executor to hold in trust for the special use and benefit of his children, who shall receive the income from same as may become due until the youngest child shall have reached the age of thirty years, when this remaining third shall be paid to the children of Ralph F. Lipps share and share alike and this trust shall cease and end.

And lastly I do hereby constitute and appoint my daughter Edna Marie Reese and my son Alton J. Lipps as the executrix and executor of this my last Will and Testament without bond. Hereby revoking all wills heretofore made by me, retifying and confirming this to be my last Will and Testament.

Witness my hand and seal this 10th day of January 1946.

W. D. Lipps