

said First National Bank, including its liabilities as Executor aforesaid.

They say that the said First National Bank and the said First Mercer National Bank are each insolvent and in failing circumstances and are now in course of liquidation, and that the bond is worthless, and that the said First National Bank is disqualified to proceed as Executor of said estate.

This July 7th 1932.

Elwood Whiteneck and others,

by

Ames Sawyer

Attorney