

No 4779 Equity

which was assented to by said Trustee Cyrus A. Font - but afterwards he refused. It was also understood that the amount to be derived from sale of Real Estate aforesaid, was also to be invested, in same manner, the interest on the said investments to be regularly paid.

3 And this respondent further states, that while he admits that this respondent and the said Cyrus A. Font as Trustees aforesaid bonded separately of the devise, that they represent different, and, inharmonious interests - that he is perfectly willing for said trust fund to be invested as any safe investment, such as may be approved by your Honorable Court, either whole or in different sums.

4 That in reply to the 8th & 9th Paragraphs of said Petition, this respondent says that the Real Estate belonging to said Trust Estate consists of a Farm containing about 100 acres of land, situate near the City of Frederick, which is unimproved, except a small brick stable & a small weather boarded log dwelling house - that said farm cannot be divided and worked by different parties to advantage, in the judgment and opinion of this respondent. But should the Court be of a different opinion, this respondent is perfectly willing that the said Court should have the said farm, surveyed by a competent surveyor, and one portion thereof assigned to this Respondent for the use and benefit of Mrs. Jenny Ruple and the other portion assigned to the said Cyrus A. Font as Trustee for his wife Mrs. Martha A. Font, that this respondent is perfectly willing and desirous of working said Trust Estate to the interest and advantage of the respective cestui que trust, but this respondent, in his judgment, did not think it right and proper to permit the said Cyrus A. Font as a farmer to work said land, when the said Font resided some four or five miles from the said farm - and further that Mrs. Ruple the cestui que trust, represented by this respondent objected to the said Font being placed in possession of said farm. And this respondent states that he has caused no delay in the investment of said funds - that he is perfectly willing to invest such funds in such manner as the Court shall direct - that he had repeatedly called upon the said Cyrus A. Font to act in conjunction with this respondent but has never been able to induce the said Font to act with him. And in reply to the prayer of said Petitioner and the charges therein contained, this respondent further states that while, under the provisions of the will of said William H. Remondy, the estate is to be divided into two equal parts or portions, for the benefit of said cestui que trust. No division of said estate has ever been made, and so far as he is concerned he now brings & reports the whole estate to your Honorable Court to take such action in the premises as to your Honor shall seem right and proper and that your respondent may be protected in the proper discharge of his duties as such Trustee

Charles J. Lewis Trustee

State of Maryland Frederick County ss.

Shery certify, that on this 12th day of May 1884, before me, the Suburban Clerk of the Circuit Court for Frederick County, personally appeared Charles J. Lewis Trustee of Mrs. Jenny Ruple and made oath in due form of law that the matters and things stated in this and above are true to the best of his knowledge and belief

(Filed May 12, 1884)

Levi Adolphus Teasdale Jr. Clerk