

No. 8040 Equity.

4. That by the provisions of the said Will George Shank, and Jacob Shank, were appointed Executors of the said will, a Certified Copy thereof is herewith filed as Exhibit No. 1, which exhibit together with all other exhibits herewith filed are prayed to be taken and considered as fact herof.

5. That in and by the First and Final Account of the said Executors, passed in the matter of the estate of the said John Shank, deceased, by the Orphan's Court for Frederick County, on the 9th day of March in the year 1888, there was distributed to the said Executors the sum of nine hundred and thirty-nine dollars and forty-four cents in trust for the use and benefit of the said William Shank, to be held by them in trust for him, the said William Shank, by paying him the interest thereon or to purchase land for the same for his natural life, and after ^{his} death to be sold and equally divided among his heirs, as will appear by a Certified ^{Extract} Copy of the said account filed herewith as Exhibit No. 2.

6. That by the provisions of an order of the Circuit Court for Frederick County, sitting as a Court of Equity, passed and filed in No. 5411 Equity Cause in said Court upon the petition of the said George Shank and Jacob Shank, Executors, of the last will of John Shank, deceased, on the 14th day of April, in the year 1888, the said Executors were authorized to purchase a certain piece of real Estate and premises situated in Frederick County, Maryland, containing 18 acres, 1, rood and 20. Square perches of land described in a deed from John Shank and others to Charles C. Shank, dated March 30th, 1886, and recorded in Liber A. F. No. 11, folio 118, &c. one of the Land Records of said County, for and with the said sum of nine hundred and thirty-nine dollars and forty-four cents, less the costs and expenses of said proceeding, and to have the conveyance thereon to stand in trust for the sole use of the said William Shank during his natural life, and after his death, to be sold and the proceeds of sale divided equally among his heirs at law, as will appear by reference to said Equity Cause and a Certified Copy of said Petition and Court order filed herewith as Exhibit No. 3.

7. That in pursuance of the said order of the Court, passed and filed as aforesaid in the said Equity Cause, the said Executors purchased the said tract