

NO. 8228 Equity.

the same on the 10th day of October, 1907, in the town of Urbana at public auction to the highest bidder as follows:-

The house and Lot in Urbana to E. Rossy King - \$1705.00

The 30 acres of unimproved land to C. G. Luthman for \$924.00

The 31 & 3/4 acres of unimproved land at Fredmanville to Nathan J. England for \$397.50

The 32 acres and a fraction of land near Miller's Mill, to Jefferson Miller for \$737.44.

And he also sold a small parcel off the land at Fredmanville to Ann Maria Smith, to straighten the lines of her lot for \$25.00

Making a total of sales of \$3788.94, realized from the sale of the real estate passing under said residuary clause of said Will for the purpose of paying the legacies therein mentioned.

4. That while your said trustee was in hand the said sum of \$3788.94, less the taxes for 1907, and his costs and expenses the aggregate sum of the legacies mentioned in said clause of said Will amount to the sum of \$4200 - which renders it impossible for said legacies in proportion to the deficiency.

5. Your Petitioner further states that he has recently learned that Wm N. Davis, one of said legacies, has assigned his legacy of three hundred dollars to Anthony N. Williams of Frederick County, by deed of assignment dated Nov. 17th, 1896, and recorded in Liber J. L. J. 200, 14, folio 473, one of the Land Records of said County, but your trustee does not know of any further assignment of said legacy, or of any of the other of said legacies having been assigned by any other of the legacies.

6. And your Petitioner and Trustee pray your Honorable Court to assume jurisdiction over the distribution of said trust fund so in the hands of your Petitioner so that the proper amounts may be awarded, to the respective legacies mentioned in said Will, and that your Petitioner may have the aid and protection of your Honorable Court in distributing said fund among said legacies, or those entitled thereto.

7. And your Petitioner prays for all such other and further relief as the Justice of his case may require.

Wolayton O. Keeley
Solicitor for
Petitioner

And as in duty, &c,
Geo. Wesley Kinley
Petitioner and Trustee.