

No. 8315. Equity.

We shall in like manner include in the parts intended for my son, Robert Biggs, James S. Biggs, and David W. Biggs, respectively, all the notes, claims and demands, with interest thereon, due by them respectively.

Should the indebtedness of William N. Biggs, along with said land at the valuation heretofore mentioned, exceed in the aggregate the value of the fourth part of the residue of my estate, ascertained as aforesaid, then I direct the said excess shall be a charge upon the said land in favor of my son Robert Biggs, James S. Biggs and David W. Biggs to be collected and paid to them in the manner hereinafter provided.

I. Having devised my estate in the manner herein provided, I give, devise and bequeath to Robert Biggs the share of my son William N. Biggs, ascertained as aforesaid, in special trust nevertheless, and upon the uses and trusts following, that is to say: First, he shall cause said interest in land or so much thereof as may be necessary, into money for the purpose of liquidating the charge thereon (if any there be), in favor of my son, Robert Biggs, James S. Biggs and David W. Biggs, the balance of said share he shall hold and manage with power to see, lease, mortgage, invest and reinvest the same as he may see fit; he shall collect the rents, issues and profits therefrom and pay the same to my son William N. Biggs, into his hands and not into the hands of any other, neither claiming by his authority or otherwise, for and during the period of his natural life, and upon his death, then in further trust to assign and convey share in equal parts to the children of my son, William N. Biggs, living at his death, provided however that if any of the children of the said William N. Biggs die during the life time of my said son, then the share of the child dying as aforesaid shall be distributed to the children of said deceased child.

VI.

That the personal estate of the said Peter S. Biggs has been fully administered and your orator, Robert Biggs, trustee is holding the property referred to in the fifth clause of the Will of Peter S. Biggs as trustee.

VII.

That by the final account of Robert Biggs, executor of the estate of Peter S. Biggs, it appears that on the tenth day of October 1906, William N. Biggs was indebted to the said estate to the extent of Twenty-one Thousand Nine Hundred and Eighty Seven Dollars and Ninety-six Cents (\$21,987.96), and that after deducting from the said sum of Thirteen Thousand and Ninety-four Dollars and Forty Cents (\$13,094.40), being

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