

No. 8984 Equity.

after her death to her children. And the issue of any of her deceased children to be divided per stirpes. And in case both of my said daughters die without leaving child, children or descendants of a child or children, then and in such case, I give, devise and bequeath my estate to such person or persons as may be appointed by summing my daughter by her last "Will" all of which will more fully and at large appear by reference to Exhibit A"

7.
That said devise and bequest unto said Trustee for the benefit of your Petitioner Martha M. Foub. (named in said Exhibit "A", or Martha Ransburg) was to take effect after the death of Rebecca C. Ransburg, wife of said Testator and which said Rebecca C. Ransburg mother of your oratrix Martha M. Foub. died on the date March 11th. in the year 1887.

8.
That said Thomas Goruch and Thomas M. Marshall declined to accept said Trust as proposed in their and neither of them ever qualified as such Trustees that thereafter, namely, on the date March 29th 1882 Cyrus A. Foub and John S. Ransburg were appointed by order of your Honorable Court, to be the Trustees in the place and stead of said Thomas Goruch and Thomas M. Marshall; that said John S. Ransburg declined the appointment by your Honorable Court as such Trustee, and never qualified as such; and that thereafter, namely, on the date March 31st 1882 the said Cyrus A. Foub did accept said Trust as sole Trustee and qualified as such by filing his duly approved Bond in your Honorable Court on said date March 31st 1882, as will more fully and at large appear by reference to the proceedings in No. 4779, on the Equity docket of your Honorable Court.

9.
That thereafter on Petition of your oratrix Martha M. Foub, and among other proceedings had in the case of Martha M. Foub, by Cyrus A. Foub her husband and next friend on petition, and being No. 4779, Equity on the Equity docket of your Honorable Court, Commissioners to make partition of the lands of said Testator, William H. Ransburg, and which said Commissioners made a return and report unto your Honorable Court, and which said return and report was ratified and confirmed by your Honorable Court on the date August 2nd 1884, and there was adjudged, ordered