NO.9048 EQUITY.

James C. Jeffery, Trustee, under the will of Horace W. Clarke, deceased, of Wendall B. Clark, on Petition.

No. 9048 equity.
In the Circuit Court for Frederick County, sitting as a Court Of Equity.

To the Honorable the Judges of the Circuit Court for Frederick County, sitting as a Court of Equity.

1st. That on the 1st day of November, in the year 1912, the said Horace W. Clarke a resident of Frederick County, Maryland, departed this life leaving a last will and testament, which has been duly admetted to probate, by the Orphans Court of Frederick County, in which your petitioner was named as the executor thereof, a duly certified copy of which will is filed herewith as Exhibit No. 1, to this petition, and which together with such other exhibits as may be filed by your petitioner he prays may be considered as a part hereof.

2nd. That by the provisions of said will, after the payment of two legacies of Five Thousand Dollars each, the remainder of the testater's estate was devised and bequeathed in trust to your petitioner for for the benefit of the testater's wife, Alice S. Clarke, for and during her natural life, or so long as she remains unmarried, and on her death or marriage to the next of kin of the said Horace W. Clarke, share and share alike, excepting that portion which would vest in Wendall B. Clarke, one of the brothers and next of kin of said testater, which was to be held in trust by your petitioner during the life of the said Wendall B. Clarke, al of which will appear by reference to said Exhibit No. 1.

3d. And your petitioner further represents that the said Alice B. Clarke was dissatsfied with the provisions of said will, and she renounced thesame and elected to take such interest as she was entitled to under the laws of Maryland.

4th. And Your petitioner further represents that in order to avoid litigation as to said interest and disputes, as well as to afford said widow a comfortable maintenane, all the parties in interest, all of whom are adults, under the terms of said will, including the said Wendall B. Clarke, have entered into an agreement of amicable arrangement of settlement for the distribution of said estate, a certified copy of which is filed in the office of the Register of Wills, of Frederick County, and executed under their hands and seals, is filed herewith as exhibit No. 2 to this petition; that the said Edna T. Jeffrey is a sister, and Charles S. Clarke and wendall B. Vlarke are his brothers; and that the said Horace W. Clarke died without children or any heirs at law or any otherkin than those just above mentioned.

5th. And your petitioner further represents that it appears in said agreement of settlement, it is necessary to execute and deliver to the said Alice T. Clarke, a deed for a certain farm situated in Frederick County, Maryland, conveying to her a clear title to the same, and in order to dothat it is necessary for your petitioner as trustee under said will for the benefit of the said Wendall B. Clarke, to join therein, and to have the permission of Your Honorable Court to do so, and inasmuch as all the parties in interest are anxious that such conveyance should be made, including the cestui que trust, Wendall B. Clarke,

Your petitioner prays your Honerste pass an order ratifying and confirming said agreement of settlement and to direct your petitioner as trustee aforesaid, to join with the other partiss granters in executing said ded conveying said farm to the said Alice S. Clarke, in fee simple.

And as in duty Bound will ever pray.

John C. Metter,
Solicitor for petitioner.