

inattention and oversight. It is very clear, therefore, that a trust results in favor of the plaintiff, William L. B. Care, and that title to the two lots of ground Nos. 16 and 17 in Block 19, as shown on a plat of the Real Estate and Improvement Company's second sub-division of part of Bränewick, prepared by R. T. Mavin, surveyor, etc., and fully described in the deed from Albert S. Brown, Trustee, to George B. Care, dated September 6, 1916, and duly recorded in Liber No. 318, folio 315 etc., one of the Land Records of Frederick County, is held by the widow and children of George B. Care, deceased, in trust for the use and benefit of said William L. B. Care, in fee.

I will, therefore, pass a decree appointing a trustee to execute a deed for said two lots of land and all rights, ways, easements and so forth thereto belonging, conveying the same to said William L. B. Care in fee simple, so that he may hold the legal title, as well as the equitable, thereto.

It is thereupon, this 13th day of May, A. D. 1920, by the Circuit court for Frederick County sitting as a Court of Equity, and by authority thereof, adjudged, ordered and decreed that Albert S. Brown, be and he is hereby appointed trustee to convey the legal title to Lots 16 and 17 in Block 19, as described in these proceedings, unto the plaintiff, William L. B. Care, in fee simple absolute; and it is hereby further adjudged, ordered, decreed and declared that the widow and children of the said George B. Care, deceased, hold by inheritance the mere naked legal title to said lots of land and premises and have no beneficial interest therein, but that the whole beneficial interest therein is vested in said William L. B. Care by virtue of the understanding and agreement had with his father in his lifetime, and by virtue of the payment of the purchase money, so far paid, by the son, by whom any remaining sum due is payable, and further that William L. B. Care pay the costs of these proceedings.

(Filed May 13, 1920)

Glenn H. Worthington.

Elizabeth Foster,

Vs.

Adna May Foster, Virginia Malinda Foster and Irma Foster, Infants Under Twenty-One years of age, Elizabeth Foster, Administratrix of the personal Estate of Dr. Clarence E. Foster, Deceased, and Elizabeth Foster, Judgment Creditor of Dr. Clarence E. Foster, Deceased.

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No. 10410 EQUITY.  
In the Circuit Court  
for Frederick County,  
In Equity.

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TO THE HONORABLE JUDGES OF SAID COURT;

Your Oratrix, Elizabeth Foster, humbly complaining, says;

FIRST; That on or about October 31, 1920, Dr. Clarence E. Foster, late of Brunswick, Frederick County, Maryland, departed this life intestate, leaving as his surviving heirs at law, your Oratrix, Elizabeth Foster, his lawful widow, and the Defendants, Edna May Foster, 16 years old, Virginia Malinda Foster, 11 years old, and Irma Foster, 5 years old, all of whom are residents of Frederick County, Maryland.

SECOND; That the said Dr. Clarence E. Foster, at the time of his death, was seized and possessed of certain real estate, situate, lying and being in Brunswick District, Frederick County, Maryland, and hereinafter mentioned.