

## DECREE

William H. Summers and Mary L. Summers, his wife, Complainants.	"	No. 13,897 Equity.
	"	In the Circuit Court for
Vs.	"	Frederick County, sitting
William I. Deter and Alice Deter, his wife, et al., Defendants.	"	as a Court of Equity.
	"	

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The bill of complaint, exhibits and testimony in the above entitled cause having been by the Court read and considered, and it appearing that the will of Isaac J. Summers, late of Frederick County, deceased, a copy of which is filed as an exhibit in this cause, provided that if any of his children named therein died leaving no children then said child's share should revert back share and share alike to his remaining children or their children; and it further appearing that Mary M. Flook, one of the daughters of said testator named in said will, died some years ago leaving surviving her no children or descendants but a husband, Luther M. Flook, who died in 1939; and it further appearing that, in the statement of the account and distribution of William H. Summers, the executor under the will of the said Isaac J. Summers, there was distributed to the said Mary M. Flook the sum of \$703.84, said distribution being made to her for life in accordance with the decree of this Court filed in No. 7696 Equity; and it further appearing by the testimony in this cause that \$500.00 of the sum so distributed to the said Mary M. Flook was invested by her in a tract of land situated in Frederick County containing 5 Acres, 2 Roods and 32 Square Perches, more or less, which was conveyed to her by Thomas C. Derr and Lavinia Derr, his wife, by deed bearing date the 1st day of April, 1907, and that, considering all the evidence in this cause, the trust imposed upon the distributive share of the said Mary M. Flook by the said will of Isaac J. Summers, her father, should be impressed upon the real estate aforesaid standing in her name, so that the said real estate or the proceeds thereof may vest in the remaining children of the said Isaac J. Summers or their children as provided in said will; and it further appearing that the real estate mentioned in the bill of complaint in this cause is not susceptible of division among the parties thereunto entitled without loss and injury;

It is, therefore, this 16th day of June, in the year Nineteen Hundred and Thirty-nine, by the Circuit Court for Frederick County, sitting as a Court of Equity, and by the authority thereof, adjudged, ordered and decreed, that the land formerly owned by Mary M. Flook, deceased, described in Exhibit "D" to the bill of complaint in this cause, be and the same is hereby declared to have been held by the said Mary M. Flook in trust in accordance with the terms and conditions of the will of Isaac J. Summers, deceased.

Edward S. Delaplaine

Filed June 16, 1939.

## Decree

William H. Summers et al	"	No. 13,897 Equity
VS.	"	In the Circuit Court for
William I. Deter et al	"	Frederick County, Sitting as
	"	a Court of Equity.
	"	Term, 19

The above cause standing ready for a hearing, and being submitted, the Bill, Answer, Exhibits and all other proceedings were by the Court read and considered  
It is thereupon, this 16th day of June, in the year nineteen hundred and thirty-nine,