

Fourth: That the residuary estate of the said Adrian C. McCardell, in addition to the aforesaid assets, consists of certain real estate on North Market Street in Frederick City, Frederick County, Maryland, improved with a three story brick apartment house, with store rooms on the first floor, known as "McCardell Apartments"; that under the terms of the will and codicils referred to, your petitioners as Executors are authorized to sell the said real estate and divide the proceeds among the children of the testator and the trust created for the benefit of the said Wilfred S. McCardell, and that children of the said testator and your petitioners have deemed it inadvisable at this time to sell the said real estate and have elected to retain the same as an investment, and to divide the net proceeds arising from the rentals thereof, and your petitioners desire to hold the undivided interest of the trust estate in said real estate as an investment of the said trust, and that it is agreeable to the said Wilfred S. McCardell, the life beneficiary of this trust, for the said real estate to be held as a part of the investment of the trust.

WHEREFORE, your petitioners pray your Honorable Court to assume jurisdiction of the trust created by the last will and testament of Adrian C. McCardell, and to appoint Trustees to administer the same, and to authorize the said Trustees to hold as an investment of the said trust, the undivided interest in the real estate of the testator, known as the McCardell Apartments.

A. LeRoy McCardell

Witness-

Edgar S. McCardell  
Executors of Adrian C. McCardell.

Robert C. McCardell

Parsons Newman  
Solicitor

STATE OF MARYLAND, FREDERICK COUNTY, TO-WIT:--

I hereby certify that on this 7th day of August, in the year Nineteen Hundred and Thirty-five before me, the Subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, duly commissioned and qualified, personally appeared Adrian LeRoy McCardell and Edgar S. McCardell, Executors, and made oath in due form of law that the matters and things stated in the foregoing petition are true as therein set forth, to the best of their knowledge, information and belief.

Witness my hand and Seal Notarial the day and date above written.

Notarial

Robert C. McCardell  
Notary Public.

I, Winfred S. McCardell, the life beneficiary of the trust mentioned in the above petition, respectfully request the Court to grant the prayers of the above petition and to appoint my brothers, A. LeRoy McCardell and Edgar S. McCardell, Trustees of the trust created for my benefit under the will of my father, Adrian C. McCardell

Winfred S. McCardell

The foregoing petition and consent and request of Winfred S. McCardell, having by the Court been read and considered, it is thereupon this 24th day of August, in the year Nineteen Hundred and Thirty-five, by the Circuit Court for Frederick County, sitting as a Court of Equity, and by the authority thereof, adjudged and ordered that jurisdiction be and it is hereby assumed of the trust mentioned in the said petition created under the last will and testament of Adrian C. McCardell, late of Frederick County, Maryland, deceased, and it is further ordered that Adrian LeRoy McCardell and Edgar S. McCardell, be and they are hereby named and appointed Trustees of the said trust, and before entering into their duties as such trustees, they shall give bond in the usual form in the penalty of seven thousand Dollars (\$7000.00/..), if private bond be given, and in the penalty of thirty-five hundred