

Wherefore your petitioner prays for an order of Court appointing said Farmers and Mechanics National Bank of Frederick Maryland, and for such other relief as may be appropriate.

H. K. De Lauter
Solicitor for Petitioner.

The foregoing petition and exhibit having been read and considered by the Court, it is thereupon, this 3rd day of August, 1946, by the Circuit Court for Frederick County, sitting in Equity, and by the authority thereof, adjudged and ordered that The Farmers and Mechanics National Bank of Frederick Maryland, be and is hereby appointed substituted trustee, in the place of said Albert N. McCardell and Robert C. McCardell, who have declined the appointment made on the 2nd day of July, 1946

And it is further ordered by the authority aforesaid that the said Edgar S. McCardell, shall transfer, assign and turn over unto the said The Farmers and Mechanics National Bank of Frederick Maryland, all of the securities, moneys, property, papers, representing or pertaining to the corpus of said trust estate.

Patrick M. Schnauffer

Filed August 16, 1946.

PETITION TO SELL ONE-SIXTH INTEREST IN McCARDELL BUILDING AND JOIN IN DEED

Adrian LeRoy McCardell and	"	No. 13,144 Equity.
Edgar S. McCardell, Executors	"	
of the last Will and Testament	"	In the Circuit Court
of Adrian C. McCardell, dec'd	"	
on	"	for Frederick County,
PETITION	"	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Tje Farmers and Mechanics National Bank of Frederick, a body corporate, substituted Trustee in the above entitled cause, respectfully represents unto your Honorable Court:

FIRST: That on the 3rd day of August, 1946, your Petitioner was appointed substituted Trustee and since said date has been acting in said capacity.

SECOND: That among the assets in said trust is an undivided one-sixth interest in the building located on the east side of North Market Street, in Frederick, Maryland, known as the McCardell Building, which said undivided one-sixth interest, upon the request of the life tenant; Wilfred S. McCardell, and an Order of your Honorable Court dated August 24, 1935, was retained among the assets of said trust.

THIRD: That an offer has been made to purchase the McCardell Building, of which your Petitioner is Trustee of a one-sixth interest, at and for the sum of \$100,000.00, less \$1000.00 commissions, the deed for same having executed by the owners of the other five-sixths interest therein, and request has been made to your Petitioner to execute said deed.

FOURTH: That your Petitioner believes that the sum of \$100,000.00, less \$1000.00 commissions, for said building is an excellent price for same, but in view of the fact that the one-sixth interest held by your Petitioner, upon the death of Wilfred S. McCardell, goes to the owners of the other five-sixths interest, your Petitioner felt that as your Honorable Court required the life tenant's consent for the retention of said interest in said building, that your Honorable Court would require his consent to the sale of the same, which consent is filed herewith marked Exhibit No. 1 to this Petition.

FIFTH: That your Petitioner is informed that it would be necessary to expend large sums of money for necessary repairs to said building which would materially affect the income of the life beneficiary for a period of years, although your Petitioner is aware of the fact that the reinvestment of the funds in this cause will not produce the revenue which said