decree that the said Philip E. Thomas surviving Executor of and trustee under the last will and testament of the said Joseph Thimburg be discharged from the trusts of the said Testators last will and testament aforesaid upon the passing of his accounts before the Orphans Court of Baltimore County as is provided by Law in the case of the accounts of Executors and that Patrick Macauley William H. Murray and John H. B. Latrobe when the said Philip E. Thomas has nominated in his said Petition of Complaint as persons in whom he has confidence be and they are hereby appointed Trustees to receive and pay over the annual income of the said Testators Estate and take the general superintendence and care thereof in the same manner as is confided to and required of the Executors named in the last will and Testament of the said Joseph Thimburg which said Trustees hereby appointed shall have and enjoy and authority to exercise all the duties and privileges that are confided to and required of the said Executors in said last will and testament named Provided that the said Patrick Macauley William H. Murray and John H. B. Latrobe before they proceed to act as Trustees as aforesaid shall first give a Bond with satisfactory security to the Orphans Court of Baltimore County for the faithful discharge of the trust reposed in them in such sums as the said Orphans Court may require and the said Patrick Macauley William H. Murray and John H. B. Latrobe are authorized to receive out of the income of the Estate of the said testator as a compensation for the discharge of the duties of the trust hereby reposed in them an annuity to the Wife of the said Testator the sum of Four Hundred and fifty dollars annually in lieu of Commissions together with all the necessary expenses they may incur in carrying into effect the trusts hereby reposed in them, and it is hereby further adjudged ordered and decreed by the authority aforesaid

that the said Philip E. Thomas shall upon the passing of his accounts before the said Orphans Court, and after the Trustees hereby appointed shall have given the security herein required bond for the said trusts all the funds and property of every kind belonging to the Estate of the said Testator and which may be in his possession so that the whole of the said Estate may be vested in the said Trustees hereby appointed in accordance with the intention of the Testator expressed in his said last will and testament and further it is adjudged ordered and decreed hereby that the costs of this proceeding and the expenses attending the same shall be paid out of the income of said Estate.

Thurdmond Plant Ch

and afterwards to wit on the 20 day of March 1854 came Elizabeth Webster Patrick Macauley and Sarah his wife Mary Pallett and Margaret Thimburg by John H. B. Latrobe Esquire their Solicitor and filed in this cause their petition in the words following to wit,

To the Honorable Thurdmond Plant Chancellor.

The petition of Elizabeth Webster Patrick Macauley and Sarah his wife Mary Pallett and Margaret Thimburg respectfully represent, that by the Decree of this Honorable Court dated on 27 day of January 1854 in the cause of Philip E. Thomas Executor of Joseph Thimburg deceased against your Petitioners the said Philip E. Thomas Executor as aforesaid for his discharge of his office as Executor of and Trustee under the said Will and Testament of Joseph Thimburg deceased and Patrick McCauley William H. Murray and John H. B. Latrobe are appointed Trustees in his stead and directed to give Bond with security satisfactory to the Orphans Court of Baltimore County in such form as the said Orphans Court might direct which has accordingly done, Your Petitioners now respectfully pray the passage of the further order of this Honorable Court