Mary Wilson, the sum of forty thousand dollars ($40,000.00.) the said Mary L. Patterson during her life to receive and enjoy the income and profits thereof, and from and after her death, in the event of her dying intestate thereof, then in trust for her issue living at the time of her death per stirpes; and if any of such issue should then be an infant or infants, then it is provided that the share or shares of such infant or infants shall remain and continue in trust until he, she or they shall respectively arrive at age, that is to say, until the son or sons shall arrive at the age of twenty one years, and the daughter or daughters shall arrive at the age of eighteen years, at which time their respective shares shall be payable, and the trust shall cease and close as to them respectively; and the said James Wilson did also, by his said last will and testament, after the death of his wife, Mary Wilson, will and direct, that the said trustees should hold certain shares or portion of the residue and remainder of his personal estate for the said Mary L. Patterson, upon the same trusts and with the same limitations over, and in all respects in the same manner as is provided with regard to the said legacy of forty thousand dollars. ($40.000.00) he having, however, provided by his said last will that his said wife might, by her last will, divide the said residue and remainder of his personal estate among such of his children and their issue, in such proportions as she might think proper to appoint. And the said Mary Wilson in exercise of the said power of appointment, did will that one-ninth of ten-twelfths of the said residue and remainder of the personal estate of the said James Wilson, should be retained by said trustees in trust for Mary L. Patterson, upon the same trusts, conditions, provisions, limitations and powers as are declared in reference to the said legacy of forty thousand dollars, ($40,000.00.)

And the said James Wilson did also provide by his said last will and testament, that after the death of his said wife, the said Mary Wilson, his real and leasehold property should be equally divided among his children who should be living at the death of his wife, and the issue then living of any of them who might then be deceased "per stirpes;" and did further will and devise the share of the said Mary L. Patterson to said trustees, to be held in the same manner and upon the same trust and with the same limitations over in all respects as was provided and declared in reference to the said legacy of forty thousand dollars, ($40.000.00;) as will appear by reference to the said certified copies of said wills respectively, filed herewith.

8. That the said Mary L. Patterson survived both her parents, and departed this life on the twelfth day of August, 1884, leaving surviving her three children, to wit, James Wilson Patterson, William Patterson, Alice P. Harris, wife of W. Hall Harris, and Anna St. Clair Patterson, the infant daughter of her son A. Melville Patterson, who died before her decease, as her only heirs-at-law and legal distributees in the event of her dying intestate.

9. That during the life of the said Mary L. Patterson your orators paid to her in full all her income and profits by reason of said trusts, and now as such trustees, your orators hold the said legacy of forty thousand dollars ($40.000.00,) which, together with certain accretions, amounts at this time to about forty-five thousand dollars, ($45,000.00,) and the said one ninth of ten twelfths of the residue and remainder of the personal estate of the said James Wilson, deceased, estimated to amount to about twenty thousand dollars ($20,000.00,) and they also hold as said trustees the said shares of said residue and remainder of the said real and leasehold property of the said James Wilson, including the proceeds of sales of a portion of the same