October Term 1885.

Ex parte in the Matter of the Estate of John Eschbach. } In the Circuit Court of Baltimore City.

(Fd. 27th September 1881.)

To the Honorable George W. Dobbin,

Judge of the Circuit Court of Baltimore city:

The petition of Leo Eschbach, John E. Eschbach, Joseph A. Eschbach, Frank Eschbach, Mary F. Ohlendorf, (and J. C. Ohlendorf, her husband,) Margaret Ohlendorf and Mathias Eschbach, children and devisees of John Eschbach, late of Baltimore city, deceased, humbly shows, that the said John Eschbach departed this life on or before the 31st day of August last, leaving a will duly executed to pass real estate, which has been duly admitted to probate in the Orphans' Court of Baltimore city; a certified copy of which is herewith filed as a part of this petition, marked "Petitioners' Exhibit A." That letters of administration with the will annexed were duly granted to Elizabeth H. Collins and Richard Bernard, who have duly qualified.

That the said John Eschbach also in said last will, devised and bequeathed the rest and residue of his estate, after the payment of his debts, to Leo Eschbach and John E. Eschbach, for the purpose in said last will set forth, but that he subsequently cancelled the names of said Leo and John E. Eschbach as trustees; that the said will provided also for the appointment of trustees in case of vacancy from any cause by some Court having jurisdiction over trusts.

That the trust is at present vacant. That among the estate left by the said John Eschbach are several pieces of fee-simple property situate in the City of Baltimore, and about which the said administratrix, in such capacity

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are advised it is not prudent for them to meddle, and that any management of such property on their part would be purely voluntary.

That you petitioners are desirous that the said Elizabeth H. Collins and Richard Bernard, the present administrators C. T. A. of said estate, should, at least, during the administration of the same in the Orphans' Court of Baltimore city, collect the rents of said real estate, pay the taxes and water-rents thereon, keep the same insured and make any changes in said estate hereafter ordered by this Court.

Wherefore your petitioners pray your Honor to pass an order appointing the said Elizabeth H. Collins and Richard Bernard, trustees under the said will of John Eschbach, empowering them to collect the rents due on the real estate of said decedent, also to pay the taxes and water-rents thereon, to contract for and pay for needful repairs on the same, and bring the balance of any money arising from said rents into this Court to be distributed according to its order, and otherwise take charge of and manage said real estate subject to the future order of this Court.

And as in duty bound, &c.

Richd. Bernard
Sol. for Pititioners.

Signed:- Leo Eschbach,
John E. Eschbach,
Jos A. Eschbach,
Frank Eschbach,
J. C. Ohlendorf,
Mary F. Ohlendorf,
Margaret Ohlendorf,
Mathias J. Eschbach.