

Norman C. Smith, Father and  
next friend of Michael N. Smith,  
Infant, : No. 20, 788 Equity  
: In the Circuit Court  
vs. : For Frederick County,  
Michael N. Smith, Infant. : Maryland.  
: In Equity.

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TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Norman C. Smith, Father and next friend of Michael N. Smith, Infant, respectfully shows unto your Honors:

1. That Robert H. Diller, late of Frederick County, Maryland, departed this life on or about the 18th day of August, 1964, leaving a Last Will and Testament dated August 2, 1963, and duly admitted to probate by the Orphans Court for Frederick County, Maryland, and recorded in Liber T.M.E. No. 3, folio 297, one of the Will Records of the County aforesaid, and by paragraph III of said Will provided in part as follows:

"I give, devise and bequeath unto Norman C. Smith, Goldie I. Smith and Michael N. Smith, as joint tenants and not as tenants in common, the option to purchase within six (6) months from the date of my death my farm situate in Liberty Election District, Frederick County, Maryland, which I acquired by deed from Benjamin B. Rosenstock, Substituted Trustee in No. 12,349 Equity, in the Circuit Court for Frederick County, Maryland, dated December 8, 1947, and recorded in Liber No. 466, folio 439, one of the Land Records of the County aforesaid, at and for the sum of Eighteen Thousand Dollars (\$18,000.00), which said purchase money may be paid by the said optionees by the execution unto my Executor of a mortgage securing said purchase money, in the total sum of Eighteen Thousand Dollars (\$18,000.00), without interest, and providing for repayment in monthly installments at the minimum rate of One Hundred Fifty Dollars (\$150.00) per month."

a certified copy of which said Will is filed herewith as Exhibit "A" and prayed may be considered a part hereof.

2. That M. Regina Diller qualified as the Executrix under the aforesaid Will in the Orphans Court of the County aforesaid on the 31st day of August, 1964, as will more fully appear by reference to a copy of letters testamentary filed herewith as Exhibit "B" and prayed may be taken and considered a part hereof.