

paid leaving still due the said Trust Company on account of said indebtedness the sum of \$1000 with interest.

14. That the said Mary E. Worman died intestate on the 1st day of June, 1914, leaving surviving her Mary Elizabeth Worman and Ruth M. Worman the two children of herself, the said Mary E. Worman and William J. Worman, her husband; that the said Mary Elizabeth Worman is a feme sole above the age 21 years of age and the said Ruth M. Worman is an infant of the age of 13 years; that the said Mary Elizabeth Worman and Ruth M. Worman are the only heirs at law and next of kin of both of William J. Worman and Mary E. Worman and the sole beneficiaries under the Will of William J. Worman, deceased, and as such are entitled to his entire estate and are the only parties having any interest in his estate.

15. That the said Mary Elizabeth Worman on June 12, 1914 was appointed Guardian of her sister Ruth M. Worman, infant, by an order of the Orphans Court for Frederick County passed on said day and she has duly qualified as said Guardian in accordance with said order, by giving Bond in the sum of \$5000 and F. L. Stoner & S. D. Thomas as sureties, all of which will fully appear by reference to a certified copy of said order filed herewith and marked Exhibit "D".

15 1/2. That the said Mary Elizabeth Worman, Guardian on 23rd day of June, 1914, by an order of the Orphans Court for Frederick County, Maryland, duly passed on said day was authorized and directed to transfer the sum of \$10,676.44, being one half of the amount deposited in the Banks in Frederick City, Maryland, by Mary E. Worman, in her lifetime, in the name of "Mary E. Worman, Trustee" and mentioned in the succeeding paragraph, "Ruth M. Worman, Infant, subject to the order of the Orphans Court for Frederick County, Maryland, interest payable to Mary Elizabeth Worman, Guardian", in certain designated banks in Frederick City, Maryland, as by reference to said order filed herewith and marked Exhibit "E". In view of the fact that the Guardian is not to receive or have the control of the corpus but only the income, the bond was thus fixed at \$5000.

16. That the said Mary E. Worman in her lifetime applied the monies (\$23,137.63) received on account of the sale of the farms hereinbefore mentioned in the following manner: (A) \$1000 to The Central Trust Company of Maryland on account of the indebtedness mentioned in paragraph 13; (B) \$766 paid to W. N. Jolliffe, Real Estate Agent's commissions for selling farms; (C) \$18.76 paid William C. Humm for services rendered in surveying farms; (D) \$8000 deposited to the credit of "Mary E. Worman, Trustee" in an interest bearing account in the Farmers & Mechanic National Bank of Frederick City, Maryland; (E) \$7000 deposited to the credit of "Mary E. Worman, Trustee", in an interest bearing account in the Frederick County National Bank of Frederick City, Maryland; (F) \$5000 deposited to the credit of "Mary E. Worman, Trustee", in an interest bearing account in the Franklin Savings Institution of Frederick City, Maryland; (G) \$1352.87 deposited to the credit of "Mary E. Worman, Trustee" in an interest bearing account in the Central Trust Company of Maryland.

17. That your petitioners are devised that they are entitled to invoke the aid and intervention of your Honorable Court in the proper administration and distribution on this estate, because of the following peculiar circumstances: (A) Because Mary E. Worman, the wife of William J. Worman, deceased, having been named as Executrix of said Will with power of sale and having stated accounts in the Orphans Court for Frederick County wherein she charged herself with the entire estate and distributed to herself the same, less the indebtedness due thereon, which account was approved by the Orphans Court, thus making a final distribution and thereafter holding not as Executrix but as tenant for life the powers conferred upon her by the said Will, the estate was closed and the administration was at an end. (B) Because to carry into effect the provisions of the Will of William J. Worman, deceased, as to the sale of the entire estate upon the death of his said wife, Mary E. Worman, would be a detriment and disadvantage to the parties in interest and occasion a loss to the estate, especially as to the property on Rockwell Terrace in which a large amount of money as aforesaid has been invested in order to make it a comfortable home for the benefit of these children, a sale of which would not yield anything like the cost thereof. (C) Because some of the assets of the estate of William J. Worman, deceased, are now in the name of "Mary E. Worman" and others in the name of "Mary E. Worman,