

the County aforesaid, a duly authenticated copy of which said Will is filed herewith as Exhibit "A" and is prayed may be taken and considered a part hereof.

2. That letters testamentary upon the estate of the said Samuel Tracey Brandenburg were granted unto the Executors named therein and a first and final account of the administration by the said Executors was duly filed with and approved by the Orphans Court for Frederick County on the 28th day of February, 1927, a certified copy of which said account is filed herewith as Exhibit "B" and which is prayed may be taken and considered a part hereof.

3. That by the terms and provisions of the Will aforesaid it is provided:

"I give, devise and bequeath to Susan E. Brandeburg, my wife, daughter of the late Henry W. Gaver, all my real, personal and mixed property of every description, shape and form to be hers in trust during her natural life, and after her death my said estate shall go to my nine children, share and share alike, Mrs. Nellie Palmer. Mrs. James Hessong, Mrs. Nettie Grossnickle, Mrs. Sallie Easterday, Mrs. Katie Herbst, Miss Mamie Brandenburg, Charles F. Brandenburg, Austin M. Brandenburg, Wilmer H. Brandenburg, those nine people being my children."

and it is further provided:

"I appoint my son, Wilmer H. Brandenburg and my son, Austin Brandenburg, and Joseph H. Bussard to be my Trustees and Executors to settle my estate and handle the same to their best advantage.

4. That in addition to the personal property accounted for in the administration account, a copy of which is filed herewith as Exhibit "B", the said Samuel Tracey Brandenburg died seized and possessed of a farm located in Caroctin Election District, Frederick County, Maryland, containing 124 acres of land, more or less, assessed for taxation purposes at Four Thousand, Nine Hundred Ninety Dollars (\$4,990.00) and a parcel of mountain land located in Washington County containing approximately 25 acres of land and assessed for taxation purposes at merely a nominal value.

5. That since the date of the death of the said Samuel Tracey Brandenburg, the said Susan E. Brandenburg, life tenant named in the Will of the said decedent, has been granted practically unmolested control and enjoyment of the corpus of the trust created by the Will of the said decedent without interference by the Trustees named in said Will to administer the said trust, but that the said cestui que trust is now advanced in years and is presently unable to further supervise, manage and operate the said corpus.

6. That Joseph H. Bussard, one of the Trustees named to administer the aforesaid trust, departed this life on or about the 9th day of August, 1936, leaving your Petitioners as Surviving Trustees to discharge the duties devolved upon them by said Will.

7. That your Petitioners are advised that they are entitled to have the instruction, counsel and supervision of your Honorable Court in the administration of the aforementioned trust.

TO THE END, THEREFORE:

(1) That your Honorable Court will pass an order assuming jurisdiction of the trust created by the Last Will and Testament of the said Samuel Tracey Brandenburg and will further advise, counsel and direct your Petitioners in the administration of said trust.

(2) And that your Petitioners may have such other and further relief as the nature of the case may require.

Amos A. Holter
Solicitor for Petitioners

Wilmer H. Brandenburg
Austin M. Brandenburg
Petitioners-Surviving
Trustees