

a son, Harry Miller, who predeceased his mother, without leaving issue; a daughter, Minnie E. Miller, who died October 12, 1936, intestate, and unmarried; a son, Frederick A. Miller, who predeceased his mother, and who left one child surviving him, namely; your Petitioner, the said Frederick A. Miller, Jr.

4- That your Petitioner, the said Frederick A. Miller, Jr., is the only grandchild of the said Elizabeth Buesing Miller, and the only nephew of the said Minnie E. Miller.

5- That your Petitioner has been advised that as he is the next of kin and only heir at law of the said Elizabeth Buesing Miller, deceased, his grandmother, and also the only heir and next of kin of said Minnie E. Miller, he will inherit by virtue of the laws of the State of Maryland the property mentioned in the Will of his grandmother, except that specifically bequeathed to him in trust.

6- That he had been advised and personally knows that the income from the total trust estate was not sufficient to properly maintain and care for his aunt, the said Minnie E. Miller, during her lifetime and to pay all the expenses incident to said trust.

7- That said Petitioner believes it would be to the best interest of the trust estate to have the trust fund of \$10,000.00, created by his grandmother, the said Elizabeth Buesing Miller, set apart for his benefit, and for that purpose he assents and agrees for this Honorable Court to designate and set apart the same, and he is willing for the Court to designate in kind the property to be held for said trust, and is willing to accept the double brick house known and designated as Nos. 11 and 13 on the North side of East Third Street, in Frederick City, or the property known and designated as Nos. 217 and 219 on the West side of North Market Street, in Frederick City, as and for said trust fund, provided the same meets with the approval of this Honorable Court.

8- That the said Petitioner knows personally that there is not sufficient cash or personal property to pay the debts owing by said trust estate and the expenses incident thereto.

9- That your Petitioner believes it to be advisable for the Trustee in this cause to sell some part of the trust estate for the purpose of paying the debts justly due and payable from the trust estate and the expenses incident thereto.

10- That he respectfully suggests that he believes it would be for the best interests of the trust estate for the Trustee to be authorized to sell the property known and designated as Nos. 225 and 227 North Market Street, in Frederick City, to the highest and best bidder therefor, at either private or public sale, subject to the approval of this Honorable Court, for cash, and from the proceeds thereof to pay the aforesaid debts and expenses.

And your Petitioner hereby assents to the sale of the same for said purposes, the surplus, if any, to be paid to the party legally entitled thereto.

11- That your Petitioner further assents to the sale of the two \$1,000.00 Arundel Mortgage Bond Certificates at not less than the market value, and for the proceeds thereof to be used in paying the loan from the Fredericktown Savings Institution of \$1175.00, and the surplus to be applied on the other debts and expenses of the trust estate.

12- That the property known as Nos. 225 and 227 North Market Street is in a bad state of repair and has been so for many years, and the rent received therefrom is not sufficient to pay the taxes, expenses and make the necessary repairs thereto.

13- That the aforesaid Arundel Mortgage Bond Certificates have been paying 2 per cent. and the interest charged on the loan of \$1175.00 is 5 per cent, per annum.

14- That your Petitioner hereby agrees and assents to said sales being made subject to the approval of this Honorable Court, and the debts due by said trust estate and the expenses incident thereto being paid from the proceeds received from the sale of the real es-