

It is further ORDERED that Caribelle B. James be and she is hereby authorized to join in the execution of a deed to Walter J. Hahn and Elyra S. Hahn transferring the interest of William B. James in and to all that property acquired from Morris Gold and Adelaide Gold, at and for the sum of \$4250.00, less real estate agent's commissions of 3 per centum provided said net sum be paid to the Fredericktown Savings Institution as a payment on the note of William B. James, Thomas J. Crum, J. William Cannon and Adelaide Gold to the Fredericktown Savings Institution which holds the mortgage on said property for \$5000.00.

Arthur D. Willard

Filed May 19, 1936.

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PETITION FOR ASSUMPTION OF TRUST BY COURT, AND COURT'S ORDER APPOINTING GUARDIAN AD LITEM

O. Ruth Eyler, widow,	"	No. 16428 Equity
Virginia Ruth Elder and	"	
Charles A. Elder, her husband,	"	
Mabel Jane Diffenderfer and	"	
Irvin V. Diffenderfer, her husband,	"	In the Circuit Court
Joseph H. Eyler and Ruth C. Eyler,	"	
his wife, Charles William Eyler	"	
and Elizabeth B. Eyler, his wife,	"	For Frederick County,
vs.	"	
Joseph H. Eyler and Charles William	"	
Eyler, Executors, and O. Ruth Eyler,	"	Maryland.
Trustee and cestui que trust under	"	
the Last Will and Testament of	"	
C. Harry Eyler, deceased, Joseph Galt	"	
Eyler and Joseph Eugene Eyler, Harry	"	In Equity.
Scott Diffenderfer, Arthur Spaulding	"	
Elder, Virginia Gay Elder and Sue Ann	"	
Eyler, infants.	"	

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of O. Ruth Eyler, widow, Virginia Ruth Elder and Charles A. Elder, her husband, Mabel Jane Diffenderfer and Irvin V. Diffenderfer, her husband, Joseph H. Eyler, and Ruth C. Eyler, his wife, Charles William Eyler and Elizabeth B. Eyler, his wife, respectfully shows unto your Honors:

1. That C. Harry Eyler, late of Frederick County, Maryland, deceased, departed this life on or about the 15th day of November, 1940, leaving a Last Will and Testament dated the 25th day of June, 1935, and duly admitted to probate by the Orphans Court for Frederick County, Maryland, on the 25th day of November, 1940, and recorded in Liber R.L.L. No. 1, Folio 86, one of the Will Records of the County aforesaid, a certified copy of which said Will is filed herewith as Exhibit "No. 1" and which is prayed may be taken and considered a part thereof.

2. That the said Joseph H. Eyler and Charles William Eyler, Defendants herein, were duly appointed Executors of said Last Will and Testament and entered upon the discharge of the trust reposed in them, and filed on the 16th day of September, 1941, in the said Orphans Court for Frederick County, Maryland, a First Account of their administration, a certified copy of which said account is filed herewith as Exhibit "No. 2", and which is prayed may be taken and considered a part hereof.

3. That the fourth paragraph of said Last Will and Testament provides as follows:

"I give, devise and bequeath unto my wife, O. Ruth Eyler, all of my real estate, where-soever situated, in trust and confidence nevertheless, she to enjoy the income and profits arising therefrom for and during the term of her natural life. Upon the death of my wife, the within trust shall immediately cease and terminate, and my Executors hereinafter named are hereby authorized, empowered and directed to sell and convey any and all property of which I may die seized and possessed, whether the same be real, personal or mixed, in order that the same may be converted unto money, and I give, and bequeath the proceeds thereof to my children, or their heirs, to be divided equally share and share alike."