

assigned said mortgage and mortgage note to the said Helen M. Eberstadt.

7th. That your petitioner acting as attorney for the said Kate Lee Burok, prepared a will, which she executed November 1, 1936, in which, after the payment of her debts and funeral expenses, she devised and bequeathed all of her property to her niece, the said Helen M. Eberstadt, and appointed your petitioner her Executor, as will more fully appear by reference to said will, filed herewith as "Exhibit Will" and prayed to be considered as a part hereof.

8th. That the said Kate Lee Burok died March 14, 1954. That at the time of her death she left no property or estate, except a small amount of household effects, worth approximately Fifty Dollars. That your petitioner, believing that it would incur useless expense to administer upon her estate, did not offer said will for probate in the Orphan's Court for Frederick County. That the funeral expense for the burial of the said Kate Lee Burok amounted to the sum of Four Hundred Sixty-seven Dollars and fifty cents, as will appear by reference to the bill from the Harry E. Carty Company, filed herewith as "Exhibit Undertaker", and prayed to be considered as a part hereof. That your petitioner alleges that said bill is a first lien on any property owned by said decedent. That some years ago the said Kate Lee Burok gave to your petitioner a small amount of money, which, at her request, your petitioner deposited in an interest account and added the income therefrom to the principal. That said testatrix directed that said money at her death should be applied for her funeral expenses. That your petitioner now has in hand the sum of \$181.12, to be applied in part payment for said funeral expense. That the said Helen M. Eberstadt has agreed to pay to your petitioner the sum of Two Hundred Eighty Six Dollars and thirty eight cents, which added to said sum of \$181.12, will make \$467.50, which amount your petitioner will pay to said Undertaker.

9th. That the said Helen M. Eberstadt is the only heir at law and next of kin of her grandmother, the said Ann Catherine Burok, and is now entitled to all of the property held in trust by your petitioner, or to the proceeds from the sale thereof. That your petitioner believes that no useful purpose could be accomplished by making sale of said trust property incurring expense and paying the balance of the proceeds to the said Helen M. Eberstadt.