

the said farm upon the same basis as any other tenant; and after the death of all my brothers and sisters, then I direct the said trustee, successor or successors, to sell and convey by good and sufficient deed, the said farm at public sale first having given public notice in some newspaper published in Frederick County, State of Maryland, once a week for three successive weeks and after deducting the necessary costs for conducting the said sale, then I direct that the proceeds be divided equally, share and share alike, among my nephews and nieces, then living and to the children of my deceased nephew or niece, the said children of the deceased nephew or niece taking Per Stirpes and not Per Capita, excepting and excluding my nephews and nieces, whom are the children of my sister, Minnie J. Gregg, as I have provided for them from the proceeds of my personal property as hereinbefore set forth. It is my will and intention that the children of my said sister, Minnie J. Gregg, shall only receive the benefits as provided for them in the second paragraph of this my Last Will and Testament."

THIRD: That your Petitioner, Lillie M. Cooley, is the only surviving sister and there are no surviving brothers of the said Testator; that by the terms of the said Last Will and Testament, it is necessary to administer the trust until the death of all the brothers and sisters of the said Testator, Edward Charles Sears.

FOURTH: That the said Ira T. Sears was appointed Testamentary Trustee under the provisions of said Last Will and Testament, and the said Ira T. Sears departed this life on the 20th day of May, 1955.

FIFTH: That your Petitioner requests your Honorable Court to assume jurisdiction of said Trust, appoint a substituted Trustee, and direct the administration of this trust.

SIXTH: That your Petitioner recommends for Trustee, in place of Ira T. Sears, now deceased, Talmadge N. Cecil, of Frederick, Maryland.

WHEREFORE, your Petitioner prays that your Honorable Court may assume jurisdiction of trust created by Edward Charles Sears, deceased, in his Last Will and Testament marked "Exhibit No. 1," appoint a substituted Trustee, and to direct said Trustee in the administration of said trust.

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