10th Int. He died intestate and without issue He left no mother or brother but he left a sister Jeanette Cathanne Hargate and a Father Abram Hargate

11th Int. Said Real Estate is not susceptible of Division among the Parties interested without loss and injury, and it would be for the benefit of all parties interested that said Real Estate should be sold and the proceeds thereof distributed among the Parties because it consists of only 25 or 30 acres of Land which if divided would have to be cut up into Parcels so small as not to admit of advantageous sale or cultivation,

12th Int. Jeanette Cath. Hargate is an Infant under twenty one years of age, all the rests are adults,

13th Int. would be for the benefit and advantage of the said infant Jeanette Cath. Hargate that said real Estate should be sold and the Proceeds thereof be distributed amongst the Parties entitled, for the same reasons given in my answer to the 11th Interrogatory

Whereupon there being no other interesses present to be examined and no further time being required for the production of Evidence the Commissioner closed the said Commission and herewith returns the same under his hand and seal on this 26th day of January A.D. Eighteen Hundred and Seventy seven

Endorsed "Filed Jany 26th 1877.

Wm B. Nelson, Commissioner (Seal)

Decree

William H. Hildebrand Lewis A. Hildebrand & wife
vs
John T. Hildebrand Josiah E. Hildebrand et al

No. 4220 Equity in the Circuit Court for Frederick County sitting as a Court of Equity

This cause standing ready for hearing upon the Bill of complaint the answers of all the Defendants and the evidence in the cause and being submitted without argument the Proceedings were read and considered

It is thereupon this 27th day of February A.D. 1877, by the Circuit Court for Frederick County and by the authority of said Court, adjudged ordered and decreed That the Real Estate in the Proceedings mentioned be sold for the purpose of Partition between the Parties,

That Lewis A. Hildebrand of Frederick County be and he is hereby appointed to make such sale, and that the terms and manner of his proceeding shall be as follows, He shall first file in the Office of the Clerk of this Court, a Bond to the State of Maryland executed by himself with a surety or sureties to be approved by said Clerk or by this Court in the Penalty of Four Thousand Dollars, conditioned for the faithful performance of the Trust reposed in him by this Decree or which may be reposed in him by any future order or Decree in the premises

He shall then proceed to make sale of the Real Estate having first given at least three weeks public notice thereof inserted in some Newspaper printed in Frederick County, and such other notice, as he may think proper

Trustee Report Sale