

No. 4,115 Equity

The said John Roberts left here about two or three years ago and went to the State of Illinois and whose whereabouts is not now known, but he is not a resident of the State of Maryland. Wallace H. Powell, who died intestate in October, 1878, unmarried and without children; George Powell, adult residing in Frederick County, Maryland, John A. Powell, adult residing in the State of Ohio, Rosanna Stout, a daughter of William M. Powell, deceased, and wife of Jacob Stout, adult, and residing in Washington County Maryland.

6th Sub.

He died. Her name was Christiana Powell. She is since deceased. She died about four years ago intestate.

7th Sub.

Yes, about one acre of land in Greagerstown District, Frederick County, Maryland, adjoining the other and constituting part of the same lot. I look at "Exhibit No. 3" now here shown me. The property therein described is the same of which the said Christiana Powell died seized and possessed.

8th Sub.

She left William and Elizabeth Roberts infant children of her daughter Florence Roberts, deceased Wallace H. Powell deceased, George Powell, John A. Powell and Rosanna Stout named in the 5th interrogatory.

9th Sub.

John A. Powell conveyed his interest in said real estate to Andrew M. Gerbert, and said Gerbert & his wife conveyed the said interest to Wallace H. Powell as will appear by Exhibits Nos. 4 & 5.

10th Sub.

Yes sir. She conveyed her interest to Wallace H. Powell, as appears by "Exhibit No. 6."

11th Sub.

No sir

12th Sub.

Said real estate is not susceptible of advantageous division and cannot be divided amongst the parties interested without loss and injury as it could not be equalized.

13th Sub.

It would be for the benefit and advantage of all the parties interested, infants as well as adults that said real estate should be sold and the proceeds thereof distributed amongst the parties entitled because the proceeds of sale if judiciously invested will yield more income than could be received from renting or cultivating the same, & if divided the parcels would be too small for advantageous cultivation or sale.

Whereupon, there being no other witnesses present to be examined & no further time being required for the production of evidences, the Commissioner closed the said Commission and herewith returned the same under his hand and seal on this 15th day of August 1879.

William B. Nelson 
Commissioner

Decree to se
&
George Bu
appointed
Trustee