

No. 7717 Equity.

Joseph A. Burkhardt, witness of lawful age, produced on the part of the Complainants, being first duly sworn and examined viva voce deposes and says as follows:-

By name of Joseph A. Burkhardt and reside in the city of Washington, District of Columbia, I know Charles Osborne in his life time, and he died intestate on the 11th day of June 1901, leaving surviving him as his sole heirs at law, Charles J. Osborn, son born November 8th 1886, Mary T. Osborn daughter born February 16th 1891, and Beatrice M. Osborn, daughter, born January 30th 1896, all of whom reside in Washington in the District of Columbia. That Teresa M. Osborn, widow of the said Charles B. Osborn died on the 15th day of February 1903. The said Charles B. Osborn died, seized and possessed of certain real estate situated in Frederick County Maryland which is described in the deed from Aaron R. Shepherd and wife to the said Charles B. Osborn, the original of which deed is herewith filed and marked Exhibit 1, which fully and correctly describes said property. That the Complainant in this cause, Edward F. Tucker has agreed to purchase said lot of ground, the title of which is inserted in the infant defendants in this cause at and for the sum of one hundred and twenty five dollars. That the said lot is unincumbered, yielding no revenue, and is an expense to the infant owners of it. That it would be very much to the advantage and benefit of said infants that the Court would ratify the agreement of purchase on the part of said Tucker; and aside from yielding no revenue, there is now due upon it, taxes for several years both State, County, and Municipal, and that the property has been distrained by the County Treasurer of Frederick County, Treasurer of Frederick County and the Collector of taxes for the City of Frederick and the property is to be sold under that distraint for the payment of these taxes which would further involve the title, and would result in serious loss to the infant owners. Hence for these reasons it would be to their best interest and advantage that the sale to our Trustee of the said property described in Exhibit No. 1, should be ratified by the Court.

And in answer to the General interrogatory propounded by the Examiners.

Ans. Nothing further. Joseph A. Burkhardt.

Signature by the Examiners. }
at direction of the Witness }

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