

No. 5362. Equity.

Hilda and a son Preston S. they are all infants under the age of 21 years. they all reside with their mother in Mt Pleasant Fork County, W. Va.

Q. How did the said Preston S. Herltis become seized and possessed of the Real Estate in Exhibits marked 1 and 2?

A. By will of his father John H. Herltis 7. I. Would said Real Estate be susceptible of advantageous division among the said children of Preston S. Herltis or would it be to the interest and advantage of said infants for said Real Estate to be sold and the proceeds divided? State your opinion fully and your reason therefor?

A. I don't think it would be advantageous to have the Real Estate divided. I think it would be to the interest of the children of said Preston S. Herltis to have the Real Estate sold and the proceeds divided between them, because it would be to their interest to put the proceeds of sale on interest for their maintenance; and they are very young, and are unable to carry on the farms themselves and the farms would have to be rented and I think the interest from the proceeds of sale would amount to more than the rents and besides the farms would go down from renting them.

To the General Interrogatory propounded by the Examiner.

I don't know of anything further.
Herman A. Buckley.

Whereupon there being no other witnesses to be examined and no further time being required for the production of evidence the said Examiner hereby certifies that the foregoing are the original depositions in this cause, as the same were read over to the witnesses and signed by them respectively and the same returned to the same enclosed to the Court. Witness my hand this 20th day of December 1887
William Willcox, Examiner

Costs of the foregoing Testimony
 Wm Willcox Examination fee \$4.00
 Geo H. Buckley Witness act & mileage 1.35
 Herman A. Buckley " " " " \$6.80