

an interest in the said 140 acre tract mentioned herein that the same be sold and the proceeds of the sale invested under the direction of the Court, so as to inure to the use and benefit of the same parties who would be entitled to the land sold.

On August 13th, Joseph Roderick, Mary H. Willard and Thomas E. Willard, Cordelia J. Roderick, my wife and myself entered into a written agreement to sell the real estate mentioned herein at private sale unto Abraham Hemp at and for the sum of Seventy (\$70.00) Dollars per acre, further agreeing that the actual amount of land was to be ascertained by a survey to be made by a competent surveyor and that the said Abraham Hemp was to make a cash deposit of Fifteen Hundred (\$1500.00) Dollars upon the execution of the agreement and to pay the balance on the first day of April 1914. It was further understood in said agreement that the said Abraham Hemp was to have the right to put out the wheat crop for 1913, the growing crop of corn being reserved to us.

I think it would be advantageous to all the parties in interest that the agreement above mentioned be carried out and that the property so sold to the said Abraham Hemp at the price and upon the terms as mentioned in said agreement, as in my judgment, this is a fair and reasonable price for the property.

The agreement of August 1913, further stipulates that the costs of this proceeding shall be paid by the said purchaser, Abraham Hemp.

I look at exhibit "B" now handed me. It is the agreement entered into between the purchaser, Abraham Hemp and the parties in interest in this farm.

To the general interrogatory.

A. Nothing further.

Calvin E. Fry.

George W. Crum, a witness of lawful age, duly sworn, examined viva-voce deposes and says as follows--

My name is George W. Crum. My age is fifty-six years, and I reside in the town of Jefferson, Frederick County Maryland, and I know all the parties to this cause.

I knew Joseph Roderick during his life time. He died about the year 1902 and left surviving him a widow, Cordelia J. Roderick; a son, Joseph H. Roderick, who is unmarried and who lives in Pittsburg; a daughter Annie C. Fry, who intermarried with Calvin E. Fry, and who resides in Frederick County, Maryland; Mary H. Willard, a daughter, who intermarried with Thomas E. Willard, and who resides in Washington, D. C. They are all adults.

Joseph Roderick was in his lifetime and at the time of his death, seized and possessed of a tract of parcel of land containing in the neighborhood of 140 acres and lying near the town of Jefferson, I look at exhibit "A B and C." which are now handed me. They are certified copies of deeds from Peter Boyer and wife, Thomas Johnson and wife and Andrew Kessler and wife, respectively and they correctly describe the three different adjacent parcels of land which make up the 140 acre tract mentioned in these proceedings.

Joseph Roderick during his lifetime executed a last will and testament and I look at exhibit "D" which is now handed me. It is a certified copy of the last will and testament of Joseph Roderick and by said will he appointed his wife Cordelia J. Roderick and William A. Hemp to be executrix and executor of said will. William A. Hemp, the executor therein named, died about 15 years ago, leaving Mrs. Roderick to be the surviving executrix of said will.

I believe it would be advantageous to all the parties concerned and having an interest in the real estate mentioned in these proceedings that the same be sold and the proceeds of sale invested by a trustee to be appointed by your court so that the same will inure to the use and benefit of the same parties who would be entitled to the land sold.

I look at exhibit "E" which is now handed me. It is an agreement between the parties in interest to this farm and Abraham Hemp, wherein the said Abraham Hemp agrees to purchase the property at and for the sum of seventy (\$70.00) Dollars per acre.

I believe this to be a fair and reasonable price for the property and I believe it would be advan-