which the said Tilghman F. Haveras executor of said of David Hart sold under power of Sale in said will to the said Lydia M. Gaver, his wife at and for the sum of $300.25 and which sale was duly reported to and ratified by the Orphans Court of Frederick County, and the said Tilghman F. Gaver as executor charged himself with the said sum of $300.25 in the settlement of his first and final account in said Orphans Court as such executor on May 16 1881 and recorded in J. P. P. No. 1 folio 98 &c., one of the administration records in the office of the Register of Wills of Frederick County. The said Tilghman F. Gaver, as executor executed a deed to the said Lydis M. Gaver on May 9 1882, and which has been found among his papers, but was never recorded and is filed in this case as Exhobot No. 4, The said Tilghman F. gaver occupied and held all of these parcels of land as one tract, claiming plaiming ownership of the whole for more than 20 years prior to his death.

The said William E. Gaver died intestate on the 31st day of december 1911 leaving Laura E. Gaver as her widow, who is 37 years of age and leaving William Urner Gaver, John Milton Gaver, Gordon Paul Gaver and LAura Anne Gaver, as his only children and heirs at law, all of whom are infants and live with their mother in Carroll County Maryland.

The said Calvin L. Gaver died intestate on or about January 19 1912, unmarried and without children and leaving said Laura A. Routzahn and Lavinia A. Gaver, sisters, Grayson R. Gaver, a brother, and said William U. Gaver, John Milton Gaver, Gordon PAul GAver, and Laura Anne Gaver, children of his deceased brother Wm. E. Gaver, as his only heirs at law.

If the said Lydia M Gaver died seized and possessed of any interest in the 92 perches described in Exhibit No. 4 her heirs at law being the same persons as the heirs at law of the said tilghman F. Gaver, and none other, the parties of this bill, Plaintiffs and defendants, are the only persons having any title to the said real estate whatever.

I am acquaintrd wiyh the said real estate and know the same cannot be divided among all the parties concerned and interested therein without injury and loss, and it would be to the interest and advantage of all parties concerned infants as well as adults, for the agreement of purchase made with John H. Keller for the sum of $3875.00 to be ratified by the Court.

I know an earnest efffort has been made to sell the property sincethe death of Mrs. Lydia M. Gaver, and especially since the death of Dr. Wm. E. gaver, and the offer of John H. Keller of $3875.00with the crop of grain now growing upon the farm reserved as shown by Exhobit No. 5 is the best price that could be obtained for the same, and the property was getting out of repair, None of said heirs were living on or very hear the same and it would rapidly depreciate in value if left in the condition it was, I am the granffather of said infant heirs and am thoroughly satisfied it would be to their interest to have said sale ratified and the property conveyed to the purchaser upon his paying the balance of the purchase money as shown by exhibit No. 5,

To the Gen, Int. by the Examiner.

And. I think of Nothing else.

Milton G. urner.

Albert B. Routzahn a witness of lawful age produced on the part of the Plaintiff being first duly sworn and examined, viva voce deposes and says as follows--

My name is Albert B. Routzahn, my age 48 years, I knew all the parties to the suit and also the land mentioned in these proceedings.

I knew Tilghman f. Gaver, late of Frederick County. He died intestate in June 1906 seized and possessed of a small farm of about 30 acres near Middletoen in Frederick County, and which is more particularly described in Exhibit No. 1,2,3, and 4 filed with the Bill and also in the will of david Hart, and in the testimony of Milton G. urner, the preceeding witness.

The said Tilghman F. Gaver left a widow Lydia M. Gaver who died in April 1911, and the following Children as her only heirs at law--Calvin L. Gaver, William E. gaver, Laura A. Routzahn (wife of present witness) Lavinia A. Gaver and Dr. Grayson R. Gaver, all of whom were adults.

Dr. William E. Gaver, above mentioned, died intestate, on December 31 1911, and left a widow Laura