

mountain land in Catoctin District, in Frederick County, which contains in the aggregate about 56 1/2 acres and which are fully described in Exhibits A & B now shown me. The other undivided half in interest in said two tracts was subsequently conveyed to me by my grandfather, Geo. A. Beard by exhibit C., also filed with the bill.

At the time of her death my mother left a husband Wm. F. Leibold who is about 35 or 37 years of age and whose residence is unknown to me. He was a member of the U. S. Navy when I last heard of him and his residence is unknown and has been for some time. My mother left as her only heirs at law myself, I am the wife of Wm. C. Shipp. he is over 21 years of age and I am not yet 21 as before stated and we both live in Hagerstown Md. She also left two sons, both of whom are infants under 21 years of age, viz--Joseph Edward Leibold, who was 16 in August last and who lives with Mr. Charles E. Naught, in Frederick Co. Md., and the other is named Charles Wm. Leibold, who was 14 years on May 13 last. he is at the school for the feeble minded at Owings Mills, in Balto. Co. Md.

The said land cannot be divided among the parties without loss and injury thereto, and it would be to the best interest of all the parties to have the land sold and the proceeds divided because it is mountain land and produces no income.

To the gen. int. by the examiner.

Ans. Nothing Further.

lizzie S. Shipp.

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 I herewith return the same enclosed to the Court.

Witness my hand the 19th day of July A. D. 1911.

Clayton O. Keedy,

Examiner.

Costs of the foregoing testimony.

C. O. Keedy, Examiner (day) \$4.00

Peter C. Prior, wit. mlge. & at. 2.75

lizzie P. Shipp ,, ,, ,, 1.75

Certified to

Clayton O. Keedy..

Exam.

DECREE.

The above cause standing ready for a hearing, and being submitted, the Bill, Answer Exhibits and testimony, and all other proceedings were by the Court read and considered, it is thereupon this 5th day of August in the year nineteen hundred and by the Circuit Court for Frederick County as a Court of Equity, and by the authority of said Court, adjudged, ordered and decreed, that the lands and premises mentioned in these proceedings be sold, and that Joseph W. Wolfinger and D. Princeton Buckey of Frederick County, be and they hereby appointed trustees to make said sales, and the course and manner of their proceedings shall be as follows--They shall first file in the Clerk's office of this Court, a bond to the State of Maryland executed by them with a surety or sureties, to be approved by the Court or the Clerk thereof, in the penalty of Four Hundred dollars, conditioned for the faithful performance of the trust reposed in them by this decree, or which may be reposed