

It would be especially to the best interest and advantage of the infants that the lands be sold as they are not deriving any income from the property now and if left in its present state it would depreciate in value unless looked after and improved and repaired.

This property is worth about the following amounts viz--

The lands described in Exhibit C are worth about \$1600.

Those described in exhibit B are worth about \$150.00

Those described in exhibit A are worth about \$300.00

To the Gen Int.

No sir.

William Toms of A.

Charles Toms, one of the Plaintiffs first being duly sworn deposes and says--

My name is Charles Toms, I am 33 years. I reside at Foxville, Frederick County Maryland.

I know all the parties to this suit and the lands in these proceedings mentioned and described.

I know that Abraham Toms, of W. died intestate, seized and possessed of the lands and real estate described in Exhibits A. B. and C excepting the portion sold off as described in Exhibit D and I think the lands are properly described in those exhibits. I have heard the testimony of

William Toms of A., who has just testified and he has properly given the names, ages and residences of all the parties who are entitled to any interest in said real estate.

In my opinion it would be to the benefit, interest and advantage of all the parties to this suit that this real estate should be sold by a decree of the Circuit Court, in equity and the proceeds thereof be divided according to the interest of the parties, because the lands are not susceptible of any division or partition amongst the parties entitled to interests therein without loss and injury to their interest, and if left stand for a period of time will depreciate in value and besides the infants are not getting any benefit or income from this land now.

the three tracts are worth in the aggregate about \$2000.00.

To the gen. int.

Nothing more.

Charles A. Toms.

No other witnesses being named or produced before me and no further time being required for the examination of witnesses or for the taking of further depositions in said cause, I then, at the request of the solicitor for the Complainants closed the depositions so taken by me and now return the same to Your Honorable Court, signed by the witnesses thereto, this 14th day of February 1913, at the City of Frederick State of Maryland,

Witness my hand and seal

D. Princeton Buckey

(Seal)

Examiner.

Costs of taking depositions--

D. P. Buckey Examiner's fee \$4.00

I hereby certify that the above costs are correct.

D. Princeton Buckey

Examiner.

DECREE.

The above cause standing ready for a hearing, and being submitted, the Bill, Answer, Exhibits, Testimony and all other proceedings were by the Court read and considered, it is thereupon this 26th day of February, in the year nineteen hundred and thirteen 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 Arthur D. Willard of Frederick County be and he is hereby appointed Trustee to make the said sales, and that the course and manner of his proceedings shall be as follows--He shall first file in the Clerk's office