

No. 9956. Equity.

intestate, and did not leave any personal estate, and no letters were taken, out on her estate, At the time of her death, she was seized and possessed, of a tract of land containing 13½ Acres of land, more or less, situated in Tuscarora District, Frederick Co., Md., improved by Dwelling house, and out buildings, I am now looking at Exhibit A. and it correctly describes, this property, which is worth about \$1000.00. it is not susceptible of division, or of partition among the parties, thereto, without loss or injury, it is now vacant and would be to the best interest and advantage to all the parties to this cause, especially to the Infants, that this property be sold and the proceeds be divided amongst the parties entitled, thereto,

John L. Lertz, the husband of the deceased, died on or about 14th February, 1919, the said Sarah E. Lertz, being seized as aforesaid, departed this life, leaving the following children, as heirs at law, John Lertz, an adult son, whose wife's Goldie Lertz, both Adults, Grace Boyer, a daughter whose husbands name is John Boyer both Adults, and unmarried, Raymond Lertz a Son, Adult, and unmarried, and the following Grand Children, of Emma Rickards, nee Fox, a daughter who died Dec. 26, 1917. she was twice married, she left the following children by her first husband, John Fox, deceased, Namely Mary Jackson, adult, whose husbands name is Geo. Jackson. a daughter both of whom are residents of Balto, Md. the said Geo. Jackson, is in France; JOHN E. FOX, an infant Son, aged 16, yrs, about, Ernest an infant son, aged 13 yrs, about, Raymond Fox, an Infant Son, aged 9 years, about, Nicholas F. Rickards, adult, a second husband, of Emma Fox, Nellie V. Richards, an infant daughter aged, 7 years, about, all the above children and their husbands, wives and all the grand children are residents of Frederick County, Md. as well of Nicholas F. Rickards, General Interrogatory. Nothing further, No cross examination.

David F. Mayne.

William M. Bopst, a witness of lawful age, produced on the part of the Complainant, being first duly sworn, deposes and says as follows; my name is William M. Bopst, I am 60 years of age, and a resident of Frederick County, Md. I knew Sarah E. Lertz, and her husband John L. Lertz, neither were any relation of mine; Sarah died on or about March 15, 1919, without any will, and leaving no personal property, but some real estate, At the time of her death, Sarah was seized and possessed of a piece of land containing about 13 acres and a half, more or less, in Tuscarora District, Frederick County, Maryland, improved by a dwelling house, and some out buildings, Mr. Harp; look at the paper now handed you and State what, it is; Marked "Exhibit". A " it is the deed describing her real estate, and is worth about \$1000.00e it is not susceptible of division, or partition amongst the parties entitled thereto, without loss and injury; there is no one living on the property, now it would be to the best interests and advantage of all parties, to sell the property, and divide the proceeds among the parties in interest, John L. Lertz, the husband of the deceased, Sarah E. Lertz, deceased, died on or about the middle of last February; Sarah E. Lertz, being seized and possessed, as aforesaid, of real estate departed this life leaving the following children, and grand children, as her heirs at law; John Lertz a son, whose wife is Rebecca Lertz, both adult, George Lertz a Son, a son, whose wives name is Behdia Lertz, both adults, Grace Boyer, a daughter, whose husbands is John Boyer, both adults, Irving Lertz an adult Son, Single; and Raymond Lertz, an adult son, single; and the following grand children, children of Emma Rickards, whose first married name was Emma Fox, a daughter who died, Dec. 26, 1917, she was married twice, and left the following children, by her first husband, John Fox deceased, May Jackson, adult daughter, whose husbands name is George Jackson, both reside in Baltimore. Md. the said Geo. Jackson, is now in France; John E. Fox an Infant Son aged about 13, years, Raymond Fox, an Infant Son aged about 9 years, Nicholas F. Rickard, the adult second husband, of Emma Fox, an infant daughter, aged about 7 years, all the above named and described, children, and their husbands, and wives are all residents of Frederick County, in the State of Maryland, and are all the heirs at law, and persons entitled to the distribution of the estate of Sarah E. Lertz. Nicholas F. Rickards, is also a resident of Frederick Co., Md.

To general Interrogatory,

Ans, Nothing Further.

No Cross examination.

William M. Bopst.

Exhibit A, filed with the examiner as evidence, by the Plaintiff and so marked.

The Plaintiff closes. The Defendant have no testimony to offer.

Whereupon there being no other witnesses to examine and no further time being required, for the production of testimony, at the request of the Plaintiffs Solicitor, the Examiner Closes the taking of Testimony, and he hereby certifies, that the foregoing are the true and original depositions, of the witnesses in this cause, as the same were read over and signed by them respectively, and herewith returns the same with all the Exhibits filed, with him as evidence, enclosed to your Honorable Court.

Witness my hand and seal this 5th day of July A, D, 1919,

Harry C. Hull,
Examiner,

Harry C. Hull, Examiner, 1 day	- \$ 4.00
David F. Mayne attendance 1 "	, 75 is paid
William M. Bopst 1 "	, 75 is paid.
	Total \$ 4.00

Filed July 5, 1919.