

No. 10065 Equity,

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Luther Tressler, and Catherine I. Tuttle, Trustees,
Vs,
Howard G. Lantz, et al.,

0 No. 10065. Equity
- In the Circuit Court for
0 Frederick County, in
0 Equity,
0

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T E S T I M O N Y.

To the Honorable The Judges of said Court,

In Pursuance of an Order of the Court, given me by the plaintiff I Albert S. Brown one of the Standing Examiners of your Honorable court, duly commissioned and Qualified did on the 2nd day of January, A.D, 1920, at the law office of Milton G. Urner Jr, in the City of Frederick and State of Maryland, at the hour of 10-20-8 ' clock A.M. proceed to take the following depositions, of the witnesses in this case, then and there produced before me, ex-parte,

Present Mr, Milton G, Urner, Jr,
of Solicitors for Plaintiffs,

No appearance for Defendants,

Exhibits 1-2-3-4 were filed with the Examiner as Evidence and are so marked,

CHARLES H BROWN a witness of lawful age produced on the part of the Plaintiff having first been duly sworn and examined deposes and says as follows,

My Name is Charles H. Brown, I am 60 years of age, I reside near Deerfield, in Frederick County, Maryland, about One mile east of the land, mentioned in these proceedings, and with which I am Famililar, I have read the certified copy of the deed of trust exhibit No,1, from Howard G. Lantz, to Luther tressler, and Catherine I Tuttle, I have also read Exhibits No,3, and 4, filed in this case, which 3 Exhibits Correctly Describes, the land mentioned in these proceedings, containing in the aggregate 107 acres, 1 rood and 37 perches, of land, more or less. all in Frederick County, Maryland, in Hauvers District, all this land is contiguous, and the portion conveyed, by the Howard G. Lantz, deed of trust, Exhibit No,1, is improved by a two story frame building, a Small Bank Barn, and Other outbildings, I have also read the Certified Copy of the will of Mary S. Lantz, filed as Exhibit No,2, The land mentioned in Exhibits 3-4 is not improved new with any buildings but is all fenced in and under cultivation, and there is a small apple orchard on it,

In my opinion the value of all this land is about \$2500,00

I knew Mar S. Lantz in her life time, she died in May 1919, a widow at the time of her death, and leaving Howard G. Lantz her Only Child, now about 37 years of age, surviving her, Howard G. Lantz Does not seem to be willing or able, to cultivate this land, himself, and I believe does not intend, to occupy it any longer, as a home, he and and his mother lived in the dwellinghouse, mentioned, until her death, but since then Howard G. Lantz, has not, occupied it regularly, he goes there once in a while, and sleeps there over night, I am also acquainted with William C. Tressler, who lives in Baltimore, and Daniel P. Tressler who lives in California, the parties who now hold the property in a Trust, as provided in Exhibits Nos, 1-and 2, are Luther Tressler who lives in Baltimore, Maryland, and Mrs Catherine I. Tuttle, who lives in Hiram New York, and by reason of their distances, from the property they could hardly give very much attention to the management of and control of it. the property is not now under lease, and is bound to deteriorate, in value, unless properly cultivated, and kept up which is not now being done, the net income from it. the way it is now being managed, is very small, certainly not nearly as much as could be Derived from the proceeds of the sale, of the property, if properly invested, for the reason stated, I am individually of the opinion that it would be advantageous to the parties concerned for the said land and premises to be sold,