

No, 10130, Equity.

or been removed to avoid accident, the rear wall is badly Cracked, the window sills and frames are in a rotting Condition, from lack of paint, the rear fence is down now, on several of the upper rooms the paper is falling off, from the wall, the back porch is in a very bad state of repair, at times water runs into the Cellar, there is no heating plant belonging to the house the ceilings are so high and the open stair way is so large that the house is very expensive and Difficult to heat,

I look at the paper writing shown me, marked Exhibit C, in this case it being the agreement, of Margaret L, Grinder, to purchase the property, at the price of \$4100,00 upon the terms therein mentioned, and I am of the Opinion that it would be to the benefit, and advantage of all the parties in interest and especially the infants Plaintiff and Defendant, for said property, to be sold to said purchaser at said price, the property of Course cannot be divided among the parties in interest without loss and injury, because they are too numerous, and the property is entirely incapable of such division, I know the property has been in the Market for ten years, I think the above is a very good price, for the property in its present condition,

To The General Interrogatory by the Examiner,

Ans- Nothing Further,

Robert A, Kemp,

W,N,Joliffe a witness of lawful age, produced on the part of the Plaintiffs being duly sworn, and Examined Viva Voce deposes and says as follows;

My name is Walter Niell Joliffe my age is 44 years, I reside in Frederick and have been in the Real Estate business here for Eight Years, I know the Property Mentioned, in these proceedings, It has been listed with me, for sale, for several Years, but I was never able to sell it; or any offer on it over \$3250,00

It is the same property, described in exhibit B, filed in No,111 East Church Street. I look at Exhibit C, now Shown Me, being a contract of sale, for said property, at and for its sum of \$4100,00 to Margarett L, Grinder, I think, that is a very good Price, for the property, and I believe it would be to the advantage of the Infants as well as of the Adults interests, therein for said sale to be ratified by the Court, as this is a good price, in my Judgment,

To The Gen, Inter, by the Examiner,

Answer,

Nothing Further,

W,N,Joliffe,

John M, Haller, a Witness of lawful age, produced on the part of The plaintiff being duly sworn and examined viva-Voce, deposes and says, as follows;

My name is John M, Haller, my age is 61 years, I live in Frederick ,Md, and know all the parties, to this Suit, I look at Exhibit A. and A-1 & B, Filed with the Bill, and they describe the real estate devised to be sold, in the proceedings,

The Viola L, Thomas, mentioned in exhibit A, was the Mother of Nellie R, Thomas, who is unmarried, and a party Plaintiff to these proceedings, and also the Mother of Jessie H, Thomas, who is now married, to Charles S, Grinnell; She was also the Mother of Jennie M, Thomas, who Married the within John M, Haller,

The said Viola M, Thomas died intestate, in March 11-1915, She was the widow of Dr, Cyrus Thomas,

The said Jennie M, Haller is also dead having died Intestate, on January 17, 1906, leaving Surviving her, her husband, (the present witness) and Three Children Vis:-

The plaintiff John Fessler Haller, now over 21 years of age,

The Plaintiff Cyrus Winston Haller, an infant, Now in his Twenty first year having been born July 9th, 1900, and the Infant Hugh Kenneth, Haller, an Infant having been born December 13-1905,

The above mentioned daughters of Viola L. Thomas and her three above named Grand Children, are all the parties interested, in the same property,

The said real estate Cannot be divided among the said parties interested, in the said property, without loss and injury, to them, because they are too numerous, and the property being but one dwelling house, is not susceptible of divisions, at all.

I have been acting as the agent for the owners, of this property, and have had the renting of it for about fifteen years, during which time I rented it to John M, Birely for \$17 00 per month. and latterly to Robert A, Kemp, for the same price with the exception of the last Year he agreed to pay \$20,00 per month. due to the increased taxes, I have been trying to sell the property for about ten years for the parties in interest, have had it the hands

of the following real Estate, agents, Mr Joliffe, Potts and Griffin, and Noah E, Cramer,