

No, 10249 Equity,

-----Arnold, Averal Arnold Children and heirs at law of Louisa Arnold, who predeceased the said Columbus Boyer, all of whom are adults and reside in Frederick County, Maryland, Hubert Kefauver a son of Mary W, Kefauver, who is Married an whose wife's name is Mary E, Kefauver of Jersey City, New Jersey, Russell E Kefauver son of Mary E, Kefauver who is married and whose wife's name is Nora Kefauver of Waynesborro, Franklin County, Pennsylvania Emory Arnold a son of Louisa Arnold who is married and whose wife's Fellie Arnold of Lucketts, Va, Calvin Arnold, a son of Louisa Arnold, of Prince George County, Maryland, Mary E, Tritapoe, daughter of Hanson Boyer who is Married and whose husnands name Harry Tritapoe, of Baltimore, Maryland, and Charles w, Boyer, who is Married and whose wife's name is not Known, and whose address is unknown,

During the life-time of my Uncle Columbus Boyer, he acquired a lot of ground with dwelling house thereon in Middletown by Virtue of a deed of trust, from Russell Kefauver and wife, to the said Columbus Boyer, dated April 1st 1907, and recorded in Liber S,T,H, No,278 folio 554, one of the Land records of Frederick County, of which deed Exhibit A, is a Certified Copy

This Property was willed by the last will and testament of the said Columbus Boyer, a certified Copy of which is filed as Exhibit B, unto my Aunt Mary J, Boyer for and during her natural life and named in that will myself as Executor of Mary J,R,Boyer his Widow as Executrix,

I believe that for the good of all parties concerned, the property should be sold and the Offer of \$4500,00 of C,M,Shank filed as Exhibit C, should be accepted, My Aunt Mary J,R, Boyer, the lifetennant is near seventy five years of age, and is not able to make the property herein mentioned her home, She at present makes her home with her sister, She at present makes her home with her sister, She removed from this residence because of her inability to maintain her own home, about fiveyears ago, I do not believe that she is not able to see that the proper care is taken of the property and the proper repairs made to keep it in good condition, I Furth ermore believe that this offer is as high as could be obtained, and it is perhaps, higher than could be gotten from any other source or purchaser at the time the offer was made or at the present time, I Believe it is the best thing for the remaindermen who will take this property, inasmuch as the value of Middletown Lots and dwelling Houses are high now, and can see that if my Aunt has to take care of the property it must go down, inasmuch as the proper repairs will not be made, and therefore as the time goes on the selling price of the property will become lower,

I therefore believe it is for the best for all the parties concerned that the offer of C,M,Shank, be accepted, To the General Interrogatory,

Ans. No,Sir,

Albert A, Boyer,

D,Sampson Koogle,a witness of lawful age produced on the part of the Plaintiffs, being first duly sworn, and Examined Vivavoccedeposes and says as follows;

My name is D, sampson Koogle, and I am A Brother of Mary J, R,Boyer, One of the Plaintiffs, herein and have been taking care of Mrs Boyer, who holds the property, in Middletown which was conveyed unto her and her husnand by deed dated April 1st 1907, and recorded in Liber S,T,H,No, 276, folio 554, one of the Land Records of Frederick County, remained in possession of this Property, and made her home there for a few Years after the death of her husband, Columbus Boyer but about four or Five years ago or after the death of her husband, Columbus Boyer,found that due to infirmities of age, which affected her lower limbs, she was unable to Maintain her home here, and decided that it was best to abondon this place as her home, and take up her residence with her sister at which place she has been living, for the last four or five years, I saw Mrs Boyer only a few days ago and still find that she is unable to live alone, inasmuch as it was necessary for at least two people to assist her from her present home to a conveyance to attend the funeral of her Sister, I advised Mrs Boyer sometime ago that it would be the best thing for her to sell the property, inasmuch as Middletown Lots, and improvements were high, and I believe that at that time she could have gotten more money for the property than she could at any subsequent time, I further advised her to sell because she was only receiving \$100 rent on the property, until this last year, during which she received \$144, Her Tax Bill last year was \$70,00 and for several years before have ranged between \$55,and \$60, taking this expense together with the corporation tax and insurance and other incidental expenses in keeping up the property, into consideration she was really no,making anything out of the investment and I believed it would be the best for her to receive the money herein invested at a reasonable rate of Interest, by which she could receive a great deal more for her general support,Mr ,M,Shank made an offer at that time of \$4500,00which offer is filed herewith as Exhibit C,and which I advised her at that time to accept and which I now believe will be for the best interestsp of