Fifth; That for some time prior to October 30,1918,the said Latimer T.Shildt contemplated having such legal instruments executed as would place all of his property and estate in the joint names of himself and his wife,Rosa Ellen Shildt,your Oratrix,so that upon the death of either,the survivor would own and control the entire property, and he so expressed his purpose and desire to your Oratrix,as also to Mr.Leonard Waesche,the scrivener who prepared the deeds and papers,hereinafter mentioned.

Sixth; That in pursuance of his said purpose and desire,as aforesaid,the said Latimer T.Shildt employed and instructed Mr.Leonard Waesche,of Thurmont,to prepare the necessary papers to effectuate the purpose of the said Latimer T.Shildt to create a tenancy by the entireties,in all of his property and estate,so that your Oratrix,Rosa Ellen Shildt,if she survived the said Latimer T.Shildt,would become the sole and unqualified owner of all his property and estate.

Seventh; That thereupon on October 30,1918,the said Leonard Waesche,who is not attorney at law,and who was not familiar with the effect of legal terms and technical phrases,prepared two deeds,the one to be executed by the said Latimer T.Shildt and Rosa E. Shildt,whereby the farm,mentioned in Exhibit No.1,was conveyed unto Leonard J.Flohr, which said Deed,recorded in Liber No.326,folio 217,one of the Land Records of Frederick County,a certified copy of which is herewith filed,as part hereof,and marked Exhibit No.2,and the other Deed,prepared at the same time by the said Leonard Waesche,and executed on the same day,October 30,1918,by Leonard J.Flohr and Sallie Flohr,his wife, conveys the farm,mentioned in Exhibit No.1, "in fee simple unto Latimer Shildt and Rosa E.Shildt,his wife,as tenants in common," which said Deed is also recorded in Liber No.326,folio 217,etc.,a certified copy of which is herewith filed,marked as part hereof,marked Exhibit No .3.

Eighth; That at the same time,October 30,1918,the said Leonard Waesche also prepared another paper,which on said day was executed by the said Latimer T.Shildt and your Oratrix,Rosa E.Shildt,his wife,in the words following;

"Know all men by these presents that I,Latimer Shildt of Mechanicstown District Frederick County,State of Maryland;

Witnesseth; that for and in consideration of the sum of ten dollars I the said Latimer Shildt do hereby sell and transfer to me wife,Rosa E.Shildt all my personal property,of whatsoever kind,to be held jointly by her and myself,as tenants in common,and it is hereby understood and agreed,between the said Latimer Shildt,and Rosa E.Shildt, his wife,that if either party fies the said personal property of whatsoever kind,being owned,or in the possession of either one to this agreement,shall be come the property of the survivor,he or her paying the debts of the other providing there by any.

Given under out hands and seal this 30th day of October in the year A.D.1918.

Witness; Leonard J.Flohr. L.T.Shildt (seal)
Leonard R.Waesche." Rosa E.Shildt (seal)

Ninth; That the aforesaid paper is attached to the Last Will and Testament of the said Latimer T.Shildt,bearing date July 28,1907,and a certified copy of said paper and said Last Will and Testament is herewith filed as part hereof,marked Exhibit No.4.

Tenth; That your Oratrix,believeing that,under the terms of said paper,and especially under the provisions of the Deeds aforesaid,she became entitled to the absolute and unqualified ownership of said real estate,immediately upon the death of the said Latimer T.Shildt,and also believing that she was the sole owner of all the property, sold all the personal property,in order to reduce the indebtedness of the said Latimer T.Shildt,which existed at the time of his death,and from the proceeds of the sale of