Ann Sophia Nusz, Daisy M. Harley, and Chester L. Orr, mentioned in the deed from David C. Kemp, Trustee, to George Henry Stone, dated April 18, 1878, and duly recorded in Liber T.G.No.10.Folio 304, one of the Land Records of Frederick County, and we now hold the place as tenants in common It is a parcel of land containing about 1 3/8 Acres. It is improved by a two story, frame dwelling house and some out buildings. It is situated along the public road, in or near the village of Yellow Springs, leading from Frederick to Hamburg. I offer certified copy of the aforesaid deed in evidence, said copy being marked Exhibit A. All of the said Grantees are adults. I am a widower, George W. Stone is married to Sarah Stone; Lewis D. Stone to Emma Stone; Charles M. Stone to Ida Stone; Samuel Stone to Carrie Stone; Franklin Stone to Mary Stone; Mary E. Linton to Samuel Linton; Ann Sophia Nusz to Fleet Nusz; Daisy M. Harley to Albert Harley; and Chester L. Orr is unmarried. All of the said Spouses are adults.

I wich also to include in my testimony aforesaid the Mountain tract containing 5 Acres, more or less, being ½ of the ten acres of Mountain land as desribed in the deed from William P. Morsell and wife, to George H. Stone, dated January 16, 1906, and recorded in Liber H.W.B.No.290 folio 168, one of the land Records aforesaid.

My father, George Henry Stone, and my mother, Lucinda Rebecca Stone, are both dead.

I have paid taxes on the place for the past twelve years and think the place should be sold and the proceeds equally divided after the payment of all expenses and just bills. The place cannot be divided equally in its present state. No cross examination.

General Interrogatory, etc. No. I have nothing else to say.

John E. Stone

SPENCER E. STUP, awitness of lawful age, produced on the part of the Complainant, being first duly sworn, deposes and says, as follows;

My name is Spencer E. Stup. I am 54 years of age, I reside at Charlesville, Frederick County, Md. I have read over the deed, marked Exhibit A, and mentioned in the testimony of John E. Stone, and I am well acquiainted with the place, that is the home place. and mountain land of five acres.

I am also acquqinted with every one of the grantees named in the said deed and there respective apouses. I have read over the testimony of John E. Stone and I confirm it in every particular. I was tax assessor for the District about eight years ago. The home place is worth about $1,000.00. The Mountain lot is worth about $15.00; it is cut off pretty well and is not worth much. Neither one of the tracts can be equally divided among the grantees without a great loss and injury and in my opinion a Trustee should be appointed to sell the places and distribute the proceeds according to law. No cross Examination.

General Interrogatory etc. I think that is all.

& Spencer E. Stup.

HORACE E. STALEY, a witness of lawful age, produced on thepart of the Complainant, being first duly sworn, deposes and says, as follows;

My name is Horace E. Staley, I am 75 years of age . I live at 209 Dill Avenue, Frederick, Md.

I have read over the deed, marked Exhibit A, and I am well acquainted with the home place of the State people at Yellow Springs and the mountain land. Iknow all of the grantees in the deed. The home place is valuaed at about $1.000.00. The mountain lot is vaued at about $15.00. The tracts of land cannot be equally divided among the grantees without considerable loss and injury and the only was I can see is to have the Court appoint a Trustee to sell the places and divide the proceeds according to law. No cross examination.

General Interrogatory, etc. No there isn't anything more.

Horace E. Staley.