

without a Will, in December 1929 He left surviving him a widow whose name is Laura W. Day and two adult children a daughter Daisy M. whose husbands name is Murray O. Day, and a son Rufus A. Day who has died since his Father, this son left surviving him a Widow, her name is Myrtle L. Day and two infant children a son Rufus A. Day Jr. now about 10 years old and a son William E. Day about 4 years old, they live with their mother near Kemptown, American A. D. Day was in his lifetime and at the time of his death seized and possessed of a farm of 70½ acres and 28 perches of land situate and being near Kemptown in this County - I look at Exhibit No. 1 filed in this case it is a certified copy of the deed for this land and correctly describes it. The land under present conditions will sell for about \$3500.00. This land is one tract and one set of buildings is not capable of being divided amongst all the persons having an intæst thereon without loss and injury and it would be to the best interest and advantage of all concerned to have it sold and the proceeds divided this would be especially to the advantage and benefit of these Infants having an interest, the land would rent for very little and by the time the taxes, insurance and repairs were paid for there would be very little of anything left. It would be best to sell it and divide the proceeds.

To the General Interrogatory propounded by the Examiner.

Ans. Nothing further.

Garrison Moxley

Whereupon there being no other witnesses to examine and no further time being required for the production of testimony the said Examiner hereby certifies that the foregoing are the true and original depositions of the witnesses in this cause as the same were read over to and signed by them respectively and the said Examiner herewith returns the same enclosed to your Honorable Court.

Witness my hand and seal this 4th day of August A. D. 1932.

Albert S. Brown (SEAL)  
Examiner.

Costs of the foregoing testimony

Albert S. Brown, Examiner	1 day	\$4.00
John S. Watkins, Witness,	1 day & 13 miles	2.30
Garrison Moxley, Witness,	1 day & 13 miles	<u>2.30</u>
	Total	\$8.60

Certified to

Albert S. Brown  
Examiner.

(Filed August 4, 1932)

D E C R E E

Daisy M. Day and Murray O. Day, her husband,	:	No. 12,531 Equity.
	:	
	:	In the Circuit Court for Frederick
vs.	:	
	:	County, Sitting as a Court of Equity.
Laura W. Day, widow, and others,	:	
Defendants.	:	July Term, 1932.

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The above cause standing ready for a hearing, and being submitted, the Bill, Answer, Exhibits, Testimony and all other proceedings were by the Court read and considered.

It is thereupon this 16th day of August in the year nineteen hundred and thirty-two by the Circuit Court for Frederick County, as a Court of Equity, and by the authority of said Court, adjudged, ordered and decreed, that the land and premises mentioned in these proceedings be sold at public sale, free from and clear of all rights of dower, or any other claim of Laura W. Day, widow of American A. S. Day, deceased, or of Myrtle L. Day the widow of Rufus A. Day, deceased, and that Frank C. Norwood, Esq., and Laura W. Day, both of Frederick County, be, and they are hereby appointed Trustees to make the said sales, and that the course and manner of their proceedings shall be as follows: they shall first file in the Clerk's office