

great loss and injury as it consists of a piece of real estate with a large house on it and the house has been used in recent years as a doublehouse. It cannot be divided and it would be to the best interest and advantage of the heirs of Benjamin T. Virts which are the parties to this cause, that the same be sold and the proceeds divided.

Mrs. Nellie V. Virts

Supplemental taken November 2d. 1932.

Albert S. Brown

Examiner.

Bernard L. Virts and Carrie V. Virts, his wife	:	No. 12,558 Equity
	:	In the Circuit Court
Vs.	:	for Frederick County.
Albert Virts and Eugene Virts	:	

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Benjamin Shuff, a witness of lawful age, after having been duly sworn, deposes and says:

It is my opinion, knowing the property as I do, that the real estate mentioned in this cause cannot be divided without loss and injury to the parties entitled thereto, and it would be to the best interest and advantage of all of the parties that the same be sold under a Decree of your Honorable Court and the proceeds divided as their interests appear. It would be impossible to divide this property among the different heirs.

Benjamin L. Shuff

Supplemental taken November 2d 1932.

Albert S. Brown

Examiner.

The Will was so mixed that it was necessary for the Court to have the same construed and the Court held that the whole property belonged, one-half to Bernard L. Virts and the other half to my two children. My son, Albert is twenty years of age and will be twenty-one in April, and my son Eugene Virts is seventeen years of age and will be eighteen this month. I believe it would be to the best interest and advantage of all the parties to this cause to have the property sold and the proceeds divided, that is, one-half to Bernard L. Virts and the remaining one-half to my two children. This property is the same property that was conveyed to my father-in-law by Harvey R. Lease and wife, by deed dated April 5, 1920, and recorded in Liber No. 331, Folio 268, one of the Land Records for Frederick County, and is the property described in Exhibit No. 2 to the Bill of Complaint in this cause. This property is located on the south side of East Patrick Street and consists of two houses on one lot. This property is in need of repair and it is most difficult to keep tenants in it. In order to repair the property properly it would require a large expenditure of money.

TO THE GENERAL INTERROGATORY,

Nothing further.

Mrs. Nellie V. Virts

Benjamin Shuff, a witness of lawful age, after having been duly sworn, deposes and says:

My name is Benjamin Shuff, I am thirty-one years of age and am employed at the Farmers & Mechanics National Bank as trust officer. The Farmers & Mechanics National Bank of Frederick having been appointed guardian of Albert Virts and Eugene Virts, the defendants in this cause. I have had the renting of part of this property since said appointment. I know the property and know that it is located on the south side of East Patrick Street and that it needs considerable repairing. I have had considerable difficulty in getting tenants because of its condition. In my judgment it would be to the advantage of all the parties to this cause that the same be sold and the money distributed among the parties entitled. This property in my judgment is worth about \$1800.00. I look at Exhibit No. 2 and can state that