

exercise the power of sale contained in the will. She died on or about the 4th day of December, 1932. At the time of his death my father, James I. Fitzsimmons, was seized and possessed of a farm situated in Buckeystown District, Frederick County, Maryland, containing 280 5/8 acres of land, more or less. This farm is improved by two frame dwelling houses, one of which contains eight rooms, and the other of which is a tenant house containing six rooms; a barn, cornhouse and other outbuildings.

I now examine Exhibit No. 2 filed with the bill and find that it is a certified copy of the deed for the farm from William G. Baker and wife to my father, dated April 18, 1893, which conveyed to my father 283 7/8 acres of land. I also examine Exhibit No. 3, which is a certified copy of a deed from my father and his wife, Sophia C. Fitzsimmons, to James Gibbons, Roman Catholic Archbishop of Baltimore, a corporation sole. This deed conveyed 3 1/4 acres out of the property which my father acquired under the deed from William G. Baker and wife. At the time of his death my father was seized and possessed of the real estate described in the bill of complaint containing 280 5/8 acres of land.

At the time of his death my father left surviving him his widow, Sophia C. Fitzsimmons, and nine children, of whom I am one. I married Lucy C. Kessler. My father also left the following children, namely:

A son, Leo T. Fitzsimmons, who with his wife, Linganore Fitzsimmons, resides in Montgomery County, Maryland;

A son, Charles J. Fitzsimmons, who with his wife, Clara N. Fitzsimmons, reside in Montgomery County, Maryland;

A daughter, Jane E. Fitzsimmons, who is single and resides in Baltimore City, Maryland;

A son, John I. Fitzsimmons, who with his wife, Mattie M. Fitzsimmons, resides in the City of Philadelphia, State of Pennsylvania.

All of the above named children are the owners, respectively, of an undivided one-ninth interest in said real estate.

A daughter, Mary E. Fitzsimmons, who married Cleveland Cromwell.

My sister Mary died in 1937 intestate, seized and possessed of an undivided one-ninth interest in said real estate, leaving as her only heirs at law her husband, Cleveland Cromwell, who is a widower, and a daughter, Nannie W. Cromwell, who married Clements Gloyd, all of whom reside in Montgomery County, Maryland, and a daughter, Edna J. Cromwell, who married Elmer S. Justh, both of whom reside in the City of Washington, District of Columbia.

A daughter, Teresa J. Fitzsimmons, who married William Meredith Smith. My sister Teresa died on or about the 15th day of June, 1916, seized and possessed of an undivided one-ninth interest in said real estate. I now look at Exhibit No. 4, which is a certified copy of her will, in which she devised and bequeathed all of her property to her husband, the said William Meredith Smith.

A daughter, Emma F. Fitzsimmons, who married William I. Bean. The undivided one-ninth interest in the property owned by my sister Emma was sold under an execution issued on a judgment. I now examine Exhibit No. 10, and find that it is a certified copy of a deed from James A. Jones, Sheriff of Frederick County, to William Meredith Smith, dated February 15, 1923. This deed conveyed to William Meredith Smith the undivided one-ninth interest in said real estate which was devised to my sister Emma F. Bean, by her father, the said James I. Fitzsimmons;

A son, John Osborne Fitzsimmons, whose wife's name was Bernadette Fitzsimmons. I now examine Exhibit No. 8, which is a certified copy of a deed from Charles H. Klipp, Sheriff of Frederick County, to George S. Allnutt, dated February 13, 1919. This deed conveyed the undivided one-ninth interest in said real estate which was devised by my