

No. 8305. Equity

of Woodville, in Said County and State, obtained by the Last Will and Testament of John Condon, his father, late of Frederick County, Said Will being herewith filed as a part hereof and marked "Exhibit No 2" Said Will being recorded in Liber G. M. No. 2 folio 691, in the office of the Register of Wills for Frederick County.

That under the provisions of Said Will the real estate, after the death of Catherine Condon, late of Frederick County, between the two Sons of the Said Testator John Condon, namely Zacharia Condon and Joseph Condon, share and share alike.

4. That sometime during the month of April A. D. 1869, after the death of the Said Catherine Condon, the real estate bequeathed to the Said Zacharia Condon and Joseph Condon by the Said John Condon deceased, to be equally divided between them was surveyed by George W. Hudderson, Surveyor, and by him divided equally between the Sons of John Condon deceased and according to the plat made by the Said George W. Hudderson, which is herewith filed, marked "Exhibit No. 3, and recorded in Liber S. F. No. 202, folio 268 one of the Land Records of Said Frederick County, 100 $\frac{1}{2}$ acres and 8, square perches of land, was surveyed or assigned to the Said Joseph Condon as his share of the estate of John Condon, deceased.

5 That the Said Joseph Condon, was in possession of Said estate until the time of his death July 1st, 1872, and that since his death Rebecca Condon his wife, who intermarried with Charles E. Chaney, was in possession of Said estate until the time of her death March 11th, A. D. 1908,

and that being so seized and possessed of the lands aforesaid, the Said Joseph Condon, departed this life intestate on the 1st day of July 1872, leaving surviving him a Widow, Rebecca Condon, who intermarried with Charles E. Chaney, late of Frederick County, deceased, but the Said Rebecca Condon Chaney departed this life, intestate on March 11th, 1908, and the Said Joseph Condon left surviving him the following children and Grand Children of a deceased daughter, as his only heirs at law, who are seized and possessed of Said aforesaid real estate as tenants in common:

- a. Inu. Oator, a Son, John W. Condon whose wife's name is Rhoda E. Condon, Adults and residents of Carroll County, Maryland.
- b. The defendant, a daughter, Rachel C. Zeff, who intermarried with James Zeff, a child and