

contain descriptions of the Deputy whereof the said Juliana Kemp died seized and possessed?

- 5 Did the said Juliana Kemp die intestate?
- 6 Who are the next of kin and heirs of said Juliana? Name them infants and adults? and state when they reside.
- 7 Do you know the Deputy described in said Exhibits 2 and 3, heretofore shown you. If Yes Please state whether the same is susceptible of Division or partition amongst said children and grand children of the said Juliana with advantage, and if not, why not?
- 8 State whether it will be for the advantage and interest of all the Parties entitled to said Real Estate, infants and adults, to have the same sold and the proceeds divided amongst the Parties entitled thereto? if Yes Please state your reasons therefor.

Filed 20th Nov 1874
 Wm D Nelson
 Commissioner

Jas. M. Sherry
 Sol. for Complainant

Testimony

At the execution of the aforesaid Commission issued out of the Circuit Court for Frederick County and to me directed and empowering me to examine evidence in the cause therein depending between Abraham Kemp and wife as Complainants and David Kemp and wife and others as Defendants. I, William D. Nelson Commissioner therein named did, on the twenty sixth day of November Eighteen Hundred and Seventy four at my Office in Frederick City Maryland, then and there proceed to take the following Testimony to wit:

The Complainants filed with the Commissioner as Evidence Exhibits No 1, 2 & 3, which are herewith returned by the said Commissioner,

Ezra C. Thomas a witness of lawful age produced upon the part of the Complainants being duly sworn and examined to Interrogatories filed with the Commissioner by the Complainants and herewith returned deposes and says to the

- 1 Int. I have known all the parties except David Kemp's wife and have known them for some time
- 2 Int. I know how well she is dead, I forget the exact time when she died. She died in Frederick County Maryland.
- 3 Int. She was possessed of a Horse and Lot, and a Lot in Jefferson Frederick County Maryland.
- 4 Int. I look at Exhibits Nos. 2 & 3, now here shown me, they do with the exception, except the Deputy described in Exhibit No 1, which was conveyed by her to John N. Bowling
- 5 Int. She died without a Will
- 6 Int. Rebecca Hart, a Coaxpter and widow of Jacob Hart Dec'd; Martha Kemp Widow of John Kemp deceased, a son; Frederick D. Kemp, Albert Kemp, Alma L Kemp, Henry Kemp & Ella Kemp infants and children of John Kemp Dec'd. David Kemp and