

No. 2408 Equity

They are both adults and reside in Frederick County State of Maryland. He left a son Thomas C. Fox who is married and the name of whose wife is Ruth Ann Fox. They are adults and reside in Frederick County Maryland. He left a daughter Ellen S. now the wife of Joseph Smith. They are both adults and reside in Frederick County State of Maryland. He also left the following heirs at law of Susan M. Hamer a deceased daughter of said George P. Fox namely Peter M. Hamer her surviving husband who is between fifty and sixty years of age and lives in Frederick County State of Maryland. A son Albert S. Hamer who is an adult living in Frederick County Maryland and who has married since this bill was filed. A son George P. Hamer who has become of age since the filing of this bill and lives out of the State of Maryland. A daughter Marcella M. married to Albert Pryor, she is under twenty years of age, but her husband is over twenty one years of age and lives in Frederick County in the State of Maryland. A daughter Clara S. who is an infant unmarried and lives in Frederick County State of Maryland. A daughter Annie M. who is an infant unmarried and lives in Frederick County State of Maryland. A daughter Emma O. who is an infant unmarried and resides in Frederick County State of Maryland, and a daughter Alice S. infant unmarried and resides in Frederick County Maryland.

To 5th Sub. - I look at the papers now shown and marked Exhibits Nos 1 2 3 4 5 6 7 & 9. The land described in Exhibits 1 3 4 5 and 6 said George P. Fox died seized and possessed of. As to Exhibit No 7 He died seized and possessed of the land therein described except about ten or ten and a half acres of land sold by said Fox to Henry Monahan in his life time. As to Exhibits Nos 2 8 & 9. Said George P. Fox sold the land described therein during his own life time.

To 6th Sub. - No for the said lands left by George P. Fox, are not susceptible of division among his children and heirs at law, because the land is scattered somewhat and if cut up it would be in too small tracts for advantageous cultivation or sale.

To 7th Sub. - It would be to the interest and advantage of all the heirs of said George P. Fox to sell the lands of which he died seized and possessed and divide the proceeds among those interested. The interest on the money would be more than the land would yield if rented, because most of it is mountain land and cannot be cultivated. And if held and not sold it will go down in value and value. There is only about fifty acres of tillable land in the whole of it.

Testimony
of
Leon Brown

Leon Brown a witness of lawful age produced on the part of the Complainant being duly sworn and examined by Subscribing parties before the Commissioner by the Complainants and herewith returned deposed and says

To 1st Sub. - I know the parties to this suit and have known them for some time.

To 2d Sub. - I knew George P. Fox in his life time. He is dead. He died at his residence in Frederick County in the State of Maryland in April A. D. 1878.

To 3d Sub. - He did not leave a wife surviving him. His wife died before he died.

To 4th Sub. - George P. Fox left children surviving him at the time of his death as follows. A son George H. Fox married and the name of whose wife is Elizabeth Fox, they reside in Frederick County State of Maryland. He left a daughter Catharine S. now the wife of John M. Brown, they live in Washington