

No 4952 Equity

William Kestrow and
Margaret C. Kestrow his wife et als
vs

Matilda Beall and
Robert L. Beall

No 4952 Equity
In the Circuit Court for
Frederick County
Sitting as
a Court of Equity.

In pursuance of the annexed order of the Court and notice given me by the Solicitor for the Plaintiffs in the above entitled Cause, I, Clayton O'Keary one of the Regular Examiners of said Court having fixed Wednesday the 6th day of February A.D. 1884 at my office in Frederick City as the time and place for taking the testimony in this Cause and having given due notice thereof to the parties concerned did them and there proceed to take the following testimony to wit:

The Plaintiffs filed with the Examiners as evidence Exhibits Nos 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 which are herewith returned by said Examiners.

William H. Lease a witness of lawful age produced on the part of the Plaintiffs being duly sworn and Examined to Interrogatories filed with the Examiners and herewith returned deposes and says:

To the 1st Inter

1st Ans. My name is William H. Lease; my age 56 years and I live in M^{ts} Pleasant District in Frederick County

To the 2^d Inter

2^d Ans. I know the parties to this suit and have known them all for some years.

To the 3^d Inter

3^d Ans. I knew him for forty or fifty years. He is dead. He died sometime September or October A.D. 1853.

To the 4th Inter

4th Ans. He left no will

To the 5th Inter

5th Ans. He died leaving leaving real estate in Frederick County. I look at Exhibits Nos 1, 3, 3, 4, 5, 6, 7, 8, 9 and 10 now shown me. They describe the real estate of which he died seized and possessed

To the 6th Inter

6th Ans. I don't think the real estate could be advantageously divided among the parties interested in it, because the property is so situated that dividing it into so many parcels would impair its value as a whole. It would be to the advantage of all the parties infants as well as adults to have the same sold and the proceeds divided among them

To the 7th Inter

7th Ans. The said John H. Beall left a widow surviving him, her name is Matilda Beall Her age is about 60 years, she is in ordinary health for a woman of her age

To the 8th Inter

8th Ans. He did leave the following children as his heirs at law viz:

Margaret C, the wife of William Kestrow;

Aceneth, wife of George Cromwell;

Amelia A. the wife of Levi Gladhill;

J. Rebecca, the wife of Richard Roles;

Fanny, the wife of Calvin Dofler

Naomin Beall who is unmarried, Charles C. Beall unmarried and Robert L. Beall unmarried. All these parties are residents of Frederick County and all are adults over twenty one years of age except Robert L. Beall. To the general