

No. 5417 Equity

can be divided among the parties without loss or injury? and whether or not in order make a division thereof a sale would be necessary, and your reasons?

Ans I don't think they can be divided without loss or injury among the parties because the parties are too numerous, and the farms will not admit of being so split up. A sale would therefore be necessary in order to make division among them.

To the Genl Int by the Examiner - Ans I do not
Christian T. Gachanas

Testimony

James M. Kelty, a witness of lawful age produced, on the part of the Plaintiffs being duly sworn and examined to interrogatories, deposes and says:

1st Int. State your name, age and residence?

Ans. James M. Kelty; 59 years; Emmittsburg District.

2d Int. State your relation, if any, to this suit?

Ans. My wife and I are the Plaintiffs.

3d Int. Look at Exhibits J. H. S. Nos. 1, 2 & 3, and state who the lands therein described belonged to?

Ans. I look at them. I know the lots. They belonged to John Holbe, at the time of his death.

To the Genl Int. by the Examiner, Ans No sir
James M. Kelty

Whereupon there being no other witnesses to be examined, and no further time being required for the production for the production of evidence, the said Examiner hereby certifies that the foregoing are the Original Depositions in this cause, as the same were read over to the Witnesses, and signed by them respectively; and he herewith returns the same enclosed to the Court -

Witness my hand this 8th day of August A.D. 1888.

Clayton O. Keady, Examiner

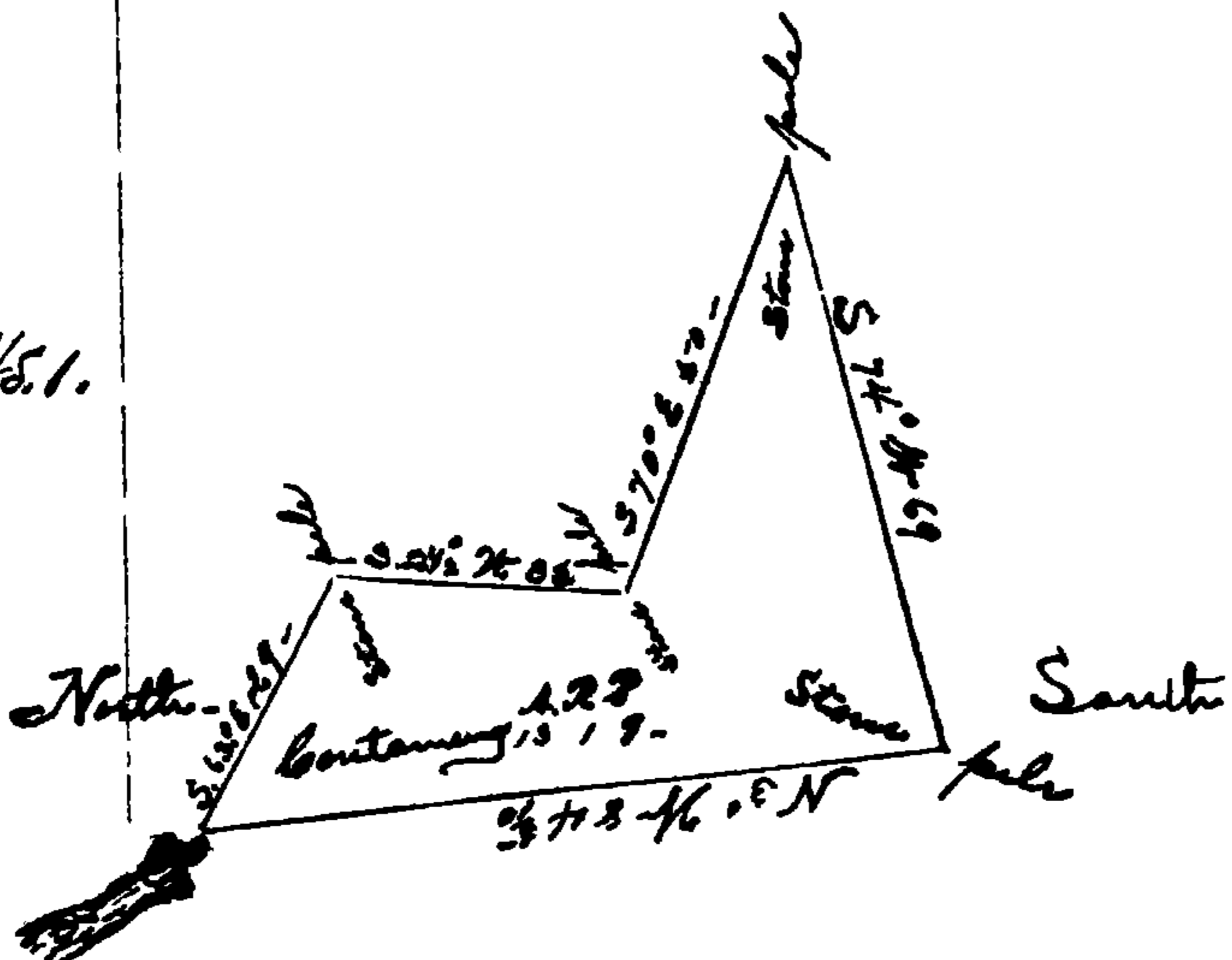
Costs of the foregoing Testimony -

C. O. Keady Exam. Fee (2 days)	\$ 8 00
Alonzo Benner, Sheriff	1 20
J. H. Shields Wit Holbe & Attend.	4 05
Geo A. Elder " " "	3 85
Christ T. Gachanas " " "	3 85
	<u>23 95</u>

Certified to:-

Clayton O. Keady, Examiner

Plat
Exhibit J. No. 1.



The following is the Plat, Courses Distances of a Lot of Mountain Land belonging to the real-estate of John Holbe Late of Frederick County, Dist. Situate lying on the North side of Hancock road in Emmittsburg District Frederick County Md. Beginning for the same at a corner erected as a corner of Land belonging to Edmnd Springer it being the North West corner of the said Lot and running thence as the courses direct - Surveyed July 17th 1888 by John H. Shields