No. 5895 Equity

number of parcels without loss and injury.
I think it will be to the interest of all to have it sold and the proceeds divided among them.

To the Gen. Int. by the Examiner.

Ans I know of nothing further

Elton G. Kimmel

Charles T. Kimmel a witness of lawful age produced on the part of the Plaintiffs being duly sworn and Examined Viâ Voce deposes and says as follows:—

My name is Charles T. Kimmel, my age 27 years and I resize near Mt. Philly in Frederick County. I knew Frederick Kimmel late of Frederick County. He was my father. He is dead. He died in Frederick County in March 1891. and left no will

He died seized and possessed of real Estate in said County, consisting of about 22 acres of land with improvements. It is worth about $1500. = I look at Exhibits Nos 1. 2 & 3 and they describe the said real Estate fully. The said Frederick Kimmel left at the time of his death a widow who has since died and the following Children and grand Children are his heirs at law, who are yet living

(1) A son George F. Kimmel whose wife's name is Catharine
(2) A daughter Mary E. Mehrling who is the wife of Guy Mehrling,
(3) A son William H. Kimmel whose wife's name is Catharine
(4) A son Elton G. Kimmel who is unmarried,
(5) A son Charles T. Kimmel (present witness) who is unmarried,
(6) A daughter Annie M. E. Stockman, wife of Nathaniel E. Stockman,
(7) A daughter Amanda A. Shide, wife of John Shide
(8) And the following grand-Children who are the Children of a deceased son John Kimmel Viz:—
Marcie Kimmel, Katie Kimmel, Charlotte Kimmel, Frederick Kimmel and John Kimmel, all of whom are infants under 21 years of age.

All of the other parties are adults over 21 years of age and all of the parties adults and infants reside in Frederick County except Geo F. Kimmel and wife.

The said real Estate is not capable of being divided among said parties without loss and injury because the land is too small and the parties too many — cut it up into so many parts. I think it would be to the benefit and advantage of all the parties to have it sold and the money divided.

To the Gen. Int. by the Exam

Ans, I do not.

Charles T. Kimmel

whereupon there being no other witnesses to be Examined and no further time being required for the production of Evidence the said Examiner hereby Certifies that the aforegoing are the original depositions in the Cause as the same were read

Proof of Marcie Kimmel &c

Decree