No. 5736 Equity

Pursuance of the annexed order of the Court and Notice given me by the Solicitor for the Plaintiff in the above entitled Cause I, Clayton O'Keedy one of the regular Examiners of said Court duly appointed qualified and sworn having met at my Office in Frederick City and designed the 2d day of October at my Office in said City, as the time and place for taking the testimony in said Cause and having given due notice thereof to the parties Concerned did at the appointed time and place proceed to take the following testimony to wit:- The Plaintiff filed with the Examiner as Evidence Exhibits No 1. 2 & 3 which are herewith returned by said Examiner

Washington L. Day a witness of lawful age produced on the part of the plaintiff being duly sworn and examined Viva Voce deposes and says:-

My name is Washington Lafayette Day: my age 50 years. I reside in Kempstown Frederick County. I was acquainted with Reuben M. Mosley late of Frederick County, deceased. He died in June 1890. He died intestate and left a widow surviving him named Sarah Mosley aged about 70 years who lives in Frederick County. He also left the following heirs at law. Viz:-

A daughter Lucinda now the wife of John D. Purdum both of whom are adults residing in Montgomery County. He left a son named George O. Mosley whose wife name is Mary E. both of whom are adults living in Montgomery County.

Also the following Children of a deceased daughter Lodoska who was the wife of Gassaway Hood. She died in April 1890 leaving five Children, 3 of whom are girls and two are boys. They are all infants except one of the girls. They all reside with their father Gassaway Hood in Frederick County. I have seen the Children but Cant name them.

Reuben M. Mosley died seized and possessed of real Estate in Frederick County which is described in Exhibits Nos 1 & 2. now shown me. Said real Estate is worth about $10 or $12 per acre and contains about 85 acres. It is not susceptible of division among the parties without loss and injury because the property is too small to be cut up into so many parts. It would be more valuable if sold as a whole. I think it would be to the advantage of all the parties to have it sold and the proceeds divided because the property is under rent and is going down.

To the Ques. put by the Examr.

Ans. I dont know that I know of anything further.

W. Lafayette Day

John D. Purdum a witness of lawful age produced on the part of the plaintiff being duly sworn and Examined Viva Voce deposes and says:- my name is John D. Purdum