No. 6572. Equity.

James A. Biehl a witness of lawful age produced on the part of the Plaintiffs being duly sworn and examined Viva voce deposes and says as follows:-

My name is James A. Biehl my age 40 years, I reside in Frederick County and I know all the parties to this suit.

I knew Ann Rebecca Mont, late of Frederick County. She is dead. She died in Frederick County in April 1895 and she left no will. She left at the time of her death a husband, George W. Mont and two daughters as her only heirs at law viz:-

(1) Sarah E. now the wife of the present witness, both of whom are adults living in Frederick County and

(2) Julia Ann, who was married to Chas L. Brown, but who has died since her mother leaving her husband surviving her and two infant children as her only heirs at law viz:-

Willie Lee Brown, aged about 6 years & Franklin Edw. Brown, aged about 4 years both of whom reside in Frederick County.

I know the real Estate which said Ann Rebecca Mont owned at the time of her death, It is situated in Lewistown District in Frederick County and consists of a small farm of about 58 acres which is worth from 1500 to 1800. It is the same land described in Exhibit A. except about 15 acres thereof sold off in Mrs. Mont's lifetime to Thomas Geary.

The said real Estate could not be divided among the parties without loss and injury and will bring more money in a bulk than it would if cut up, I think it would be to the interest of all the parties to have it sold and the money divided. Mrs. Mont at the time of her death owed Geo. Geary $250.00 on a note which I believe was given for part of the purchase money for this land. Said note is unpaid with interest from Apr. 1st 1895 all the other debts of Mrs Mont have been paid.

To the Gen. Int by the Examr.
I do not

Ans. James A. Biehl

whereupon there being no other witness to be examined and no further time being required for the purpose of evidence the said Examiner hereby certifies that the aforegoing are the original depositions in this cause as the same were read over to the witnesses respectively and I herewith return the same enclosed to the Court.

Witness my hand this 25th day of February 1896

Clayton O. Reedy
Examiner

Costs of the Aforegoing Testimony:-
C. O. Reedy Examr. 1 day @ $4.00
Certificate to
Clayton O. Reedy Examr.
Clayton O Reedy Examiner

Filed Feby 25th 1896.

Endorsed
In the Honorable the Judges of the Circuit Court for Frederick County sitting as a Court of Equity.

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