

No. 7308 Equity

Testimony vs.

She is dead, she died last November & left no will, at least, I never heard of any will that she left. she was unmarried & without issue. The Kate Hergesheimer whom I spoke of also died unmarried and intestate and without issue. 10th Is the land described in "Exhibit A," improved & if yes, in what manner?

Ans. Yes it is - there is a small stone and brick house on the lot, one story high, finished basement, it is worth house & lot together about 600 or 700 dollars. 11th Is that property capable of being divided among the parties in interest without loss and injury and if not why?

Ans. No, it is not, it is not possible to divide it except to sell it and divide the proceeds, and it will be very much to the interest and advantage of all the parties and to the interest of the infant defendants to do so.

Genl. Int. To the General Interrogatory propounded by the Examiner.
Nothing more.

Alexander Pennington.

J. Dennis Murphy, a witness of lawful age produced on the part of the Plaintiff and being first duly sworn and Examined viva voce deposes and says as follows: -

My name is J. Dennis Murphy, I am 71 years of age, and I reside in Federal City, Maryland. I knew personally or by reputation all the parties to this suit. I knew neither Sophia Hergesheimer or her husband Joseph Hergesheimer but I believe they are both dead and I never heard of any will that either of them left. I have heard that Mrs. Sophia Hergesheimer owned the property described in the deed "Exhibit A" situated on South Street this city, in which her daughter lived, the deed "Exhibit A" correctly that property, Mrs. Sophia Hergesheimer left surviving her a number of children there was David as son, whose wife's name, I do not know, he is dead & left surviving several children, three I think I don't know them at all, then there was Louise, a daughter who married William H. Laley - she died a long time ago & Laley himself is dead, they had several children, they were small when she died, there was a son William who died unmarried, some years ago, then there were several daughters, I do not know their names nor whether they are married or not but I am told they are. I am told that if they reside now in Philadelphia, then there was a daughter Mary who married Perry Young - she is dead & so is he, they had a son Perry A. M. Young, who died recently in Denver Colorado, I am told, he left a widow and five or six children surviving him, but I don't know their names or ages, they never lived here, then there was a daughter Mrs. Jane R. English whose husband's name was James J. English they are also both dead, they had a number of children all of whom are adults now, I knew them all but not their names, then there was Sophia Hergesheimer, a daughter, never married who died last fall and left no issue. None of these people left any wills that I ever heard of.

The land described in "Exhibit A" has a small stone & brick house on it and lot & all is worth about six hundred dollars. It is not capable of being divided among the parties in interest and it would be to the best and advantage of them all and especially to