

NO. 7862 Equity

of division among the parties entitled thereto without loss and injury?

Ans

No. Sir - It is not for the reason that it is divided into 2 farms. It is mountain land, and there is a debt on it & it is susceptible of being divided without loss and injury.

4th

Would it or not be to the interest and advantage of all the parties in interest to have the said real estate sold under a decree of the Court and the proceeds of sale used to pay the lien thereon and the proceeds of sale used to pay the lien thereon and the other debts of John Royer and the surplus, if any there be, divided amongst the widow and heirs of John Royer according to their respective interests therein?

Ans

It would in my opinion be to the best interest and advantage of all concerned that the property be sold. The fences and buildings are going down there is no one there to manage the property, and the mortgagee is threatening to foreclose, and it would be especially beneficial to the interest of the infants to have the property sold.

Genl Inq

Ans

To the Genl Interrogatory

Nothing More.

Chas. C. Royer

Joan M. Brown, a witness of lawful age produced on the part of the Plaintiff being first duly sworn and examined *Viva-Voce* deposes and says as follows:

My name is Joan M. Brown. I am 23 years of age & I reside near Sallamie this County. I am one of the defendants in this suit. I knew John Royer in his life-time. He died November 22nd 1904. He left no will. I am his son-in-law, having married his daughter Alta M. Royer. He owned at the time of his death 2 farms, one of 94 acres improved by a dwelling house, barn, 2 wells, wholly in this County, and a farm of 64 acres also improved by a dwelling house & barn, and outbuildings lying partly in this County & partly in Washington County, this State. I have heard the testimony of Mr. Chas. C. Royer in this case, and I fully subscribe to all he has said and adopt the same as my own testimony in this cause.