

No. 7957, Equity.

was 19 years of age last August, and Rosa A. Koeb who will be 21 years of age on the first of June 1906. They all reside in Frederick County, except Rosa A who resides in Baltimore City and I know the real estate mentioned in the proceedings & consists of 53 acres of land with improvements situated along the Baltimore and Ohio Rail Road near Rebo's Mill in Frederick County an agreement has entered into by all the adults in their own behalf and in behalf of the infants for the sale of said real estate to Geo W O'Brien at and for the price sum of eight hundred dollars. That is a fair and adequate price for said property, and it would be for the benefit and advantage of all the parties infants as well as adults to have said contract of sale ratified and confirmed, by the Court for the reason that the property will go down in value and grow up in value. The said real estate is not susceptible of division among the parties without loss and injury to them.

To the Hon Just by the Examiner.

Ans

I do not

Charles W. Koeb.

George W. Montgomery.

A Witness of lawful age produced on the part of the Plaintiffs being duly sworn and examined was Geo O'Brien and says as follows: - My Name is Geo W. Montgomery my age is 50 years - I reside in Frederick County adjoining the property mentioned in the proceedings I know Mr Nimrod O. Koeb and Mary O. Koeb. in their life time. They are both dead.

The said Mary O Koeb left the

following children 1. Chas W Koeb, whose wife name is Martha Koeb. 2. Geler O'Brien whose husband name is Geo. W. O'Brien. 3. Rosa A Koeb, and 4. James B Koeb, all of whom are adults except Rosa A Koeb, and James B Koeb, who are under 21 years of age, and they all reside in Frederick County, except Rosa A Koeb, who resides in Baltimore City. The said Mary O Koeb has no deceased children who left children. I know the Real Estate mentioned in the proceedings very well, it consists of about 53 acres of land with improvements thereon situated near Rebo's Mill in Frederick County. I have heard the testimony of Chas W Koeb, the preceding witness, with reference to the sale of said property to Geo W. O'Brien of \$800. I regard that as a fair price for the same and think it would be to the benefit and advantage of all the parties to have said Contract of Sale confirmed by the Court because I believe that it is as much as could be obtained for the property at public sale, and because the property is liable to depreciate in value by renting it out. The property is not susceptible of division among the parties without loss and injury to them.

To the Hon Just by the Examiner.

Ans. I don't think so.

Geo W. Montgomery 125

Joseph B Pier. A witness of lawful age produced on the part of the Plaintiffs being duly sworn and examined was Geo O'Brien and says as follows: - My Name is Joseph B Pier my age is 57 years. I reside near Jamesville in Frederick County. I know the parties to this cause and I know Nimrod O. Koeb and Mary O. Koeb in their life time they are both dead. The said Mary O Koeb left the following children: - 1. Chas W Koeb, whose wife name is Martha Koeb 2. Geler O'Brien whose husband name is Geo W. O'Brien. 3. Rosa A Koeb who is unmarried, and 4. James B Koeb, who also is unmarried. Their ages and residences are correctly given by the preceding witness whose testimony I have heard. I know the property mentioned in these proceedings, I have heard the testimony of the preceding witness with reference to the sale of said property to Geo W. O'Brien for \$800 which I regard as a fair and adequate price for said property and would consider it to the benefit and advantage of all the parties infants, as well as adults to have said Contract of Sale ratified and confirmed by the Court, because I do not believe the property will ever bring any more, but will on the contrary depreciate in value. It is not susceptible of division among the parties without loss and injury to them.

To the Hon Just by the Examiner.

Ans. I do not think so.

Geo W. Montgomery 145

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