No. 7991 Equity.

Etchison. vs Frederick Levity. at the time and place for taking the testimony in this 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 Plaintiffs filed with the Examiner as evidence Exhibits Nos. 1 & 2. which are herewith returned by the said Examiner.-

Frederick le Fisher 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 Frederick le Fisher. my age is 52 years; I reside near Rocky Ridge in Frederick County. I Know all the parties to this Suit.

I Know George W. Krise. late of Frederick County. He is dead. and died at his home in Frederick County. about the early part of June 1905, and died intestate

He left no widow. but left two Sons as his Heirs at Law Viz:-

Charles H. Krise who is married and his wifes name is Margaret S. Krise. They are both over 21 years of age and reside in Frederick County. The other Son is name is Ella Krise. they are both over 21 years of age. and they both live in the State of Ohio.

I am acquainted with the real estate of which the said George W. Krise died Seized and possessed. It Consists of a Farm of about 100 acres situated in Jefferson District and worth about from $3000= to $4000= I look at Exhibit No 1. now shown me. and that Certified Copy of the deed. Correctly describes the said real estate.

The said real estate is Subject to a $3000= Mortgage now held by Asa S. Hearst. one of the defendants in this Cause.

The said real estate is not Susceptible of division between the Heirs at Law without loss and injury thereto because it is so Situated as not to admit of such division and besides the owners Cannot agree between themselves in reference to selling it or dividing it.-

To the Gen. Int by the Examiner

Ans. I do not.

Frederick le Fisher

Isaiah D. Wood a witness of lawful age produced on the part of the Plaintiffs being duly Sworn. and examined Viva Voce deposes and says as follows:-