

No. 8164, Equity.

Testimony

Filed with Examiner
L. O'Keedy. May 2, 1907

William M. Howe
and others,
Joseph C. Rohrer and
others

No. 8164, Equity
In the Circuit Court for
Frederick County, sitting
as a Court of Equity.

In pursuance of the annexed Order of the Court and notice given me by the Solicitor for the Plaintiff in the above entitled Cause I, Clayton O'Keedy, one of the Standing Examiners of said Court having met the 16th day of May, 1907, at the time for taking the testimony in this cause, and having due notice of the time and place to the parties concerned, did in pursuance to said notice take the following evidence to-wit:- The Plaintiffs filed with the Examiner as evidence Exhibits "A", "B", "C", "D" and "E" which are herewith returned by the Examiner.

George R. Bernard a witness of lawful age produce on the part of the plaintiff being duly sworn and examined *Viva Voce* depone and say as follows:-

My name is George R. Bernard, I am 41 years of age and reside near Smithburg in Washington County, Md. I know the majority of the parties to this Suit.

I know the tract of land which Joseph F. Rohrer, deed seized and possessed. It is timber land and is located in Frederick County, near the Washington County line. It is worth about \$30. or \$35. per acre. It is the same land described in Exhibit "E" now shown me and that Exhibit correctly described it.

The said land could not be divided among the parties in interest without great loss and injury because the parties are too numerous to admit of such division, and there are several infants interested. I think it would be to the benefit and advantage of all the parties in interest to have the same sold and the proceeds divided.

To the Gen. Sct. by the Examiner
nothing further. George R. Bernard.