No. 8223 Equity.

(2). Marion S. Miller. who lives with their mother in Frederick. Md.

The Said real estate in my opinion is worth about $1000 = and is not Susceptible of division among the parties interested without loss and injury I think it would be to the benefit and advantage of all the parties to have the Same Sold and the proceeds divided among them according to their respective interests.

To the Gen. Int by the Examiner.

Ans. I do not.

Marcus Wertheimer.

(Adjourned to Nov-22-1907)

Henry A. Fronke. 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 Henry H. Fronke. my age is 63 years I reside on Cook Patrick Street in Frederick City. I Know all the parties to this Cause excepting. Fannie E. Miller. the widow of Charles M. Miller. I Know Mrs. Lydia A.R. Miller in her life time. she is dead. She died. about 20 years ago. I was a witness to her will which is dated May 16-1883. the original of which is now shown me. I Knew Edward McIntyre. one of the other witnesses to the will who is now dead He wrote the will which is in his hand-writing. that portion of the writing following the signature of the witnesses is not in Mr. McIntyre hand-writing I. examined the handwriting following the signature of the witnesses, and to the best of my opinion it is the hand-writing of Mrs Miller the testatrix. I Know all Mrs. Millers Children who were living at the time of her death and they are the Same persons named in the Bill of Complaint as her Children. Charles M. Miller one of the Children. The Children named in her will were her only heirs at law. I Know Mr. Lewis Miller the husband of the Said Mr. Miller. He is now dead. having died in October 1907.

To the Gen. Int. by the Examiner

Ans I do not.

Henry H. Fronke.

Clarence E. Miller. a Witness of lawful age produced on the part of the Plaintiff being duly Sworn and examined viva-voce deposes and Says as follows