

NO. 6891. Equity.

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Joseph J. Fox.

Martin L. Fryor, a witness of lawful age produced on the part of complainants being first duly sworn by me deposes and saith:-

My name is Martin L. Fryor my age is 39 years I reside in Frederick County near Deerfield. I am one of the parties to this cause. I knew George W. Fryor in his life time, he was my father, he died in February 1893. intestate. He left a widow Isabella Fryor, an adult who resides in Frederick County, also the following children as his heirs at law. I am one of the sons, my wife's name is Jennie Fryor, we are both adults and reside in Frederick County, also a son, Melvin A. Fryor whose wife's name is Annie, both of whom are adults, and reside in the State of Illinois and reside in the State of Illinois, also a son Ellis L. Fryor, whose wife's name is Florence, both of whom are adults, residing in the State of Illinois, a daughter, Catherine Missouri, married to John L. Millide, both of whom are adults living in Frederick County, a daughter, Mary Mary K. Kries, a widow who is an adult and resides in Frederick County, a daughter, Berilla, also now the wife of Frank Melbaugh, both of whom are adults, and reside in Washington County, where they moved from Frederick County, after the filing of the Bill in this cause, also a daughter Nettie who is dead having her husband, Albert Anderson, and an infant son, Alvin Arthur Anderson, surviving her, both husband and son reside in Frederick County, The husband being an adult, and the infant son about 6 months old.

My father died seized and possessed of certain real estate in Frederick County, described in Exhibits Nos. 1, 2, and 3. One tract a mountain lot of 36 acres. Another a mountain lot of 20 acres and a third lot of 14 acres more or less. In all about 71 acres worth between \$700⁰⁰ & \$800⁰⁰.

This land cannot be divided without loss and injury to the parties interested because it could not be cut into parcels without injury to the value of the whole of it.

It would be for the benefit and advantage of all the parties interested to have the lands sold and the proceeds divided among the parties entitled according to the respective rights therein. He also died seized and possessed of a farm of 30 acres which he sold to Lawson Poole but which has not been conveyed nor paid for, also 104 acres which he purchased of Frederick White deceased but for which he obtained no deed.

To the Honorable Court
No. 6891. Equity
Martin L. Fryor.