No, 7636. Equity.

Courts Order. referring
cause to Examiner, to take
Testimony.

Upon the aforegoing petition, it is ordered this 18th day of June, A,D. 1903, by the Circuit Court, for Frederick County, sitting as a Court of Equity, and by the authority thereof. that the aforegoing cause be and the same is hereby referred to one of the standing Examiners of this Court for the purpose of taking testimony to support the allegations of the Bill of Complaint.

John C. Motter.

Filed June 18, 1903.

Testimony.

Mary F. Baltzell

A witness of lawful age produced on the part of the Plaintiffs, having first been duly sworn deposes and examined, deposes and says;-

First;- State your name, age and residence, and do you know the parties to this suit?

Answer, Mary F. Baltzell, aged 57 years, i reside near Creagerstown this County, and state i kno knew all the parties, to this suit,

Second;- Did you know Levi Baltzell during his life time, is he living or dead, when did he die, and did he die testate or intestate?

Answer, He was my husband, ans is now dead, having died on or about the 28th, day of April, 1903, he died intestate,

Third. state whether or not at the time of his death he was seized and possessed of any real estate, and if yea, state of what the same consisted, where it was located and about its value?

Answer;- At the time of his death he owned a one half interest in a farm containing about 10 100 acres, situated in Creagerstown District Frederick County, Maryland, and improved with a log. dwelling house and other outbuildings, I suppose the place is worth about $3500,00, Noah Baltzell the Plaintiff in this case is the owner of the other one Half interest in said farm containing about One hundred acres.

Fourth. From whom did your husband Noah Baltzell purchase the real estate referred to by you?.

Answer, From Augustus Geesey and wife,

Five; Look at Exhibit A, now shown you and state what it is, and if correctly describes said real Estate?

Answer. I look at Exhibit A, now shown me it is a certified Copy of the deed from Augustus Geesy and wife, to Noah Baltzelland my husband Levi Baltzell and correctly describes said real estate,

At this juncture plaintiff filed Exhibit A, with the Examiner as evidence, so marked and filed by Examiner,

6. Was there at the time of your hus ands death any liens on the property mentioned in Exhibit B. and if yea, state what they are, the amount of the same, and who holds said liens?

Answer- There is a Mortgage on said real estate for $ 1550,00 held by Mary E, Grimes, with interest due from September 18th, 1901,

7 -Look at Exhibit B. now shown you and state what it is?.

Answer- It is a certified copy of theMortgage given by Noah Baltzell my husband, Levi Baltzell and myself for $1600.00 upon which there has been paid $50,00, and it is the mortgage to which I referred to as being for $1550,00 all of which last mentioned sum is still due with interest. as i have stated, at this juncture Exhibit B. is filed with the Examiner as evidence by the plaintiff and so marked and filed.

8. Did Levi Baltzell leave surviving him any heirs at law, and if so state who they are giving their names, ages, and residences?,

Answer- He left and adult daughter Bertie B. Baltzell, an infant daughter Susan C, Baltzell age 19 years,and infant, daughter Ada M, Baltzell. aged 17 years, and an infant son Charles W. Baltzell, aged 15 years, all of which said Children reside with me their mother near Creagerstown Frederick County, Maryland.

9, Is theland and premises of which your husband died seized and possessed, as above described, by you susceptible of division and partition amongst the parties entitled thereto, without loss and injury to them?