

No. 10020, Equity,

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and he died during the month of January 1896, He left no will at the time of his death, and he was seized and possessed of a farm lying about two miles East of Mt. Pleasant, containing in the aggregate 85 acres, 3 rods and 22 square perches of land, more or less, which he acquired by four deeds, the first from John A Johnson and others dated, the 7th day of March A.D, 1872, the Second from Daniel Burrier, and wife dated, the 28th day of December, 1885, the third from Henry Stauffer, dated the 2nd day of February 1886, and the fourth from John Stauffer, and wife dated, the 8th day of March 1895, I look at Exhibits A, B C and D, they are certified Copies of Deeds by which my father acquired this property, and they correctly describe the property conveyed to him.

When my Father died about the year 1896, as I have said before, he left surviving him a widow, my mother. Levenia Burrier, who is still living, and the following Children and heirs at law, to wit; - Myself Jonas L, Burrier, my wife, name is Annie V, Burrier, my Brother David J, Burrier, whose Wife's name is Florence M, Burrier, Daniel L, Burrier, whose wife's name is Annie Burrier, Mamie Burrier, Beard, who intermarried with one Irving Beard, Robert W, Burrier, whose wife's name is Lillie Burrier, Ella Burrier, Harshman, who intermarried with one Harry Harshman, Howard M, Burrier, and Clarence C, Burrier, both of whom are unmarried, he also left a surviving him a son, Philip Burrier who has since died without leaving any will, in or about January 1919, leaving surviving him a Widow, Ida Burrier and one Child, Ulara Burrier, who is an infant about ten years of age, My Father also left surviving him another son, George Burrier, who also departed this life, without leaving any will in or about the month of March, 1914, leaving surviving him a Widow, Emma Burrier, and three infant sons, Charles Burrier, who is about fourteen years of age, and Edward Burrier, who is about twelve years of age, and Luther Burrier who is about Seven Years of age,

My Mother has lived on the farm and operated it since the death of my father, but we now believe that it would be to the best interests of all parties concerned, to sell the same and divide the proceeds, The Property itself, is not susceptible of Division among the parties, thereunto entitled without great loss and injury, I firmly believe that it would be to the best interest and advantage of all the parties to this cause, and especially the infants, that the real estate, be sold under the supervision and direction of the Court, and the Proceeds properly divided among all the parties, entitled thereto according to their respective rights and Interests,

I think this property should bring \$50,000 per acre, at least,

to the General Interrogatory,

Ans, Nothing Further,

Jonas L, Burrier,

Jacob P. Hesson, A witness of lawful age, produced on the part of the complainants, being first duly sworn, and Examined Viva Voce, deposes and says as follows,

My name is Jacob Hesson; I am a retired Farmer, and live in Frederick at the present time, I formerly lived within a mile of the Burrier homestead, I know the land well, and have been intimate with the family for many years, I have just heard Mr. Jonas L, Burrier testify as to the family left by Josiah Burrier at the time of his death, I know all the Children and the names are correct as he has stated them,

I know the home place which Josiah Burrier Bought in his life time, He acquired it in four deeds, I look at exhibits A, B, C and D. they are certified copies of the deeds by which Josiah Burrier, acquired the property, mentioned in these proceedings, and they correctly describe the land therein conveyed, I think in the aggregate he owned in the neighborhood of eighty five acres, He died, to the best of my knowledge without leaving any will, and since his death his widow and family have resided on the farm The Youngest boy was six months old when Josiah Burrier Died, and his widow raised the family on this property,

The property is not susceptible of being divided among the parties entitled thereto as it stands without loss and injury, and I believe that it would be to