No 5227 Equity.

2d Int. Where do the said parties reside, give the residence of each?
2d Ans. The Plaintiff all live in Frederick City, Frederick County, Md.
The defendants Melancthon A. Custard and wife and George W. Custard
and wife live in the State of Pennsylvania and Mr. and Mrs. Geyer
live in Washington City, D.C.
3d Int. Did you know Adam Custard: If so is he living or dead:
If dead, when did he die and did he leave a will or not?
3d Ans. I know Adam Custard. He is dead. He died many years ago. I
never heard of his leaving a will.

Testimony

4th Int. What real estate did the said Adam Custard leave?
4th Ans. I know he left a dwelling house and store-room and eighteen
or twenty acres of land lying north on West Patrick Street in
Frederick City — Md.
5th Int. Waived as to this witness.)
6th Int. Who are his heirs at law?
6th Ans. He left as his heirs at law: a daughter, Margaret E. Custard;
a daughter Martha A. S. Hanshew the wife of Fritchie Hanshew; a daughter
Mary, now the wife of John L. Michael; a son Melancthon A. Custard and
his wife whose name I do not know; a son George W. Custard and his
wife whose name I do not know and a daughter Mrs. Geyer and her
husband whose full names I do not know.
7th Int. State whether said real estate is capable of being divided amongst
the said heirs without loss or injury: if not please state why?
7th Ans. In my judgment said real estate cannot be divided amongst
the heirs without loss and injury: because it is so located that it is not
susceptible of an equal division for the reason that the greater part of the
land lies in a strip back of the improved Lots of other people which front
on the North side of West Patrick Street and this strip is not susceptible
of being divided into building lots and is too small to be advantageously
divided for the purpose of Cultivation.
8th Int. Please state whether it will be to the interest and advantage of all
the said parties that said real estate be sold and the proceeds divided:
If yea, give your reasons therefor?
8th Ans. I decided think so; for the reason that the land itself cannot
be equally divided among the heirs for the reasons already given and also because
the heirs realize very little income from it as it now is.
To the Gen. Int. by the Examiner —
Ans. I can think of nothing further.

John B. Thomas.

Testimony

Fritchie Hanshew a witness of lawful age produced on the Part
of the Plaintiffs being duly sworn and examined to Interrogatories Deposes
and says, as follows: —
1st Int. Do you know the parties to this suit: If yea, how long
have you known them?
1st Ans. I know them all and have known them for thirty years or
more and am one of the parties myself.
2d Int. Where do the said parties reside: give the residence of each?
2d Ans. Margaret E. Custard, Martha A. S. Hanshew and Fritchie