No. 4847 Equity

of said Catharine, viz - Adam Hugh Flannigan an Adult and John O Flannigan, Noah E Flannigan, Lycurgus L Flannigan, Harvey J. Flannigan and Ernest W Flannigan all of whom are infants under 21 years of age, and all of which children reside in Frederick County. The said John Felix Flannigan also left a widow still surviving him whose name is Minerva Ann Flannigan who is about 45 years of age and a resident of Frederick County

(4) The following children of Margaret Hovis, a deceased daughter of said Catharine Flannigan (Mrs Hovis' husband being also deceased) viz:- William Hovis married to Ann Hovis, both of whom are adults and residents of Baltimore County at the time of the filing of this Bill but who now reside in Frederick County, Md Frances E Hovis married to Saloma Hovis; John A Hovis, married to Jane Hovis; Ann Catharine Fox married to Isaac Fox; James Alexander Hovis married to Emma M. Hovis; Albert Hovis married to Lucinda Hovis, Mary E. Leasure married to Jeremiah Leasure and Lane M Hovis, all of which parties are over 21 Years of age and residents of the State of Pennsylvania -

To the 4th Intr — 4th Ans. I look at the paper now shown me marked "Exhibit A"; I know the property therein described. It is the same of which Catharine Flannigan died seized and possessed. The tract when she bought it contained more than it does now, she having sold off in her lifetime parcels to Henry Wilhide Philip Dick, John Clem and Michael, Isawogle each which reduced the quantity of land to about 74 or 75 Acres

To the 5th Intr. — 5th Ans The land is not capable of division among the heirs at law of Catharine Flannigan for the reason that there is but one sett of buildings on it and the tract is too small to be divided into so many parts to any advantage for sale or cultivation

To the 6th Intr. — 6th Ans I think it would be to the interest and advantage of all the parties, infants as well as adults to have the same sold and the proceeds divided among them because the property is in need of repair and will go down in value by the time the infants become of age.

To the 7th Intr — 7th Ans. — I know of nothing of nothing further.

Testimony

Henry W Lainhart a Witness of lawful age produced on the part of the Complainants being duly sworn and examined to Interrogatories filed with the Commissioner by the Complainants and herewith returned deposes and says -

To the 1st Intr - 1st Ans. I know the Complainants and some of the Defendants and have known them for some years

To the 2d Int - 2nd Ans. I knew Catharine Flannigan She is dead. She died in January 1882 in Frederick County.

To the 3rd Int. - 3rd Ans She died without leaving a Will. She was a widow at the time of her death and left surviving her the following heirs at law known to me, viz. —

(1) a son, James H. Flannigan, who is about 55 years of age and a resident of Frederick County,

(2) a daughter, Mary A. Flannigan who is an adult over 21 years of age and resident of Frederick County -

(3) The following children of John Felix Flannigan a deceased