

Andrew Ham - witness of lawful age, being duly sworn answers to said Interrogatories herewith returned.

To the First Inty That he is acquainted, with the parties, Complainant & defendant

To the Second Inty He answers He was acquainted, with the late George Abrecht, he is now dead he left the following heirs Viz: Mary Abrecht, married to a Mr Oliver Mr O is now deceased.

Ann Abrecht married to a Mr Walter now deceased George Abrecht married to Mary Tappan (all of the above three reside out of the State of Maryland) The other heirs reside in Frederick County, and are -

Barbara Abrecht married to Philip Hains John Abrecht married to Rebecca Wells Catharine Abrecht married to Wm. Poole William Abrecht married to Sarah Eckelberger; all of the above are adults, and now living, except Mr Oliver & Mr. Walter, as mentioned above, and

deponent further states. That George Abrecht dec<sup>d</sup>. left real Estate, being a House and Lot in Bentz Town, part of Frederick City, and is the same property mentioned in the proceedings in this Case, and deponent states that such Real Estate is not susceptible of division, amongst the heirs entitled thereto. That it could not be divided at all, being a small House & Lot of course could not be divided amongst the heirs that it would be for the benefit and advantage of the heirs, that the said property be sold, and the proceeds be divided, amongst the parties entitled thereto. That the property being old, and frequently wanting repairs, it is of course more advantageous to sell the property & divide the proceeds & save for the expense. The Third Inty waived as to this witness.

Same day 8<sup>th</sup> March 1853. Col Thomas Sappington, Witness on the part of the Complainant of lawful age, being duly sworn answers to the Interrogatories herewith filed, and returned on the part of Complainant

To the 1<sup>st</sup> Inty waived To the 2<sup>d</sup> Inty deponent states, he cannot answer the first part of this Inty But says in answer to the other part! That he knows the Real Estate mentioned in these proceedings, that the property is not susceptible of division amongst so many heirs as are entitled to a distributive share That as the Property requires repairs, and is old & frequently requiring it, it would of course be advantageous that the property be sold, and the property allotted to each of the Individuals entitled thereto To the 3<sup>d</sup> Inty He answers That deponent did attempt to make, an arrangement, for the sale of the property by the parties themselves, and found that no agreement would be made That whilst some seemed willing to make a sale others seemed unwilling, and it did not appear to deponent that a sale could be made in any other way than through the Intervention of the Court

The 6 Exhibits D E F G H I filed with the bill, were produced under the Commission, and referred to as filed The Commission was then adjourned to Monday 9 March 1853 at 3.00

Wednesday 9<sup>th</sup> March 1853. Commission was reopened, when the solicitor, for the Complainant filed the Special Interrogatory to be propounded to Thomas Sappington Esq

Esq