

in Frederick County, Maryland. - To the 2^d Interrogatory, That he knows Jacob Wächter Senior, that he is dead, that he died about one year ago - does not know if he left a will, the names of his children living at the time of his death were John, George, Catharine, Michael, Lewis and Rebecca - Catharine married Samuel Clem, John married Susan Clem, Michael married Rebecca Reese, George married Mary Ann Kramer and Lewis married Maria Clem - David died during the lifetime of Jacob Wächter Sr. leaving two children whose names I do not recollect - of the grand-children none have died since the death of Jacob Wächter Sr. except Edward Wächter - can't say to whom his interest descended or passed. - To the 3^d Interrogatory, That Jacob Wächter died seized and possessed of about one hundred acres of land, situated near Utica Mills in Frederick County - that upon looking at Exhibits Nos 1, 2, 3, 4, 5 & 6, he recognizes in Exhibit No 6, the real estate of which said Jacob Wächter Senior died seized and is described in said Exhibit No 6, as containing one hundred acres of land and designated upon the plat contained in said Exhibit No 5. - To the 4th Interrogatory, That the property cannot be advantageously divided, that in his opinion it would be to the advantage of all parties that the same should be sold and the proceeds divided among the parties entitled thereto - the division would be so small, and the improvements are all on one part of the land and the timber on another part thereof. - To the 5th Interrogatory, Knows nothing more than he has already stated in his answers to the former interrogatories. - There being no further witnesses present to be examined, and the Complainants desiring further time for the production of their evidences, the said Commission was adjourned to the 15th day of December 1862, at which time - Sarah A. Yingling, 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 Interrogatory, That she knows all the parties to this suit - that they are all adults at the time of bringing this suit, except David Wächter and Wesley Sr. Wächter, infants. - To the 2^d Interrogatory, that she knew Jacob Wächter Senior, he is dead - he died in the fall of 1861, intestate, leaving the following children namely; John, George, Michael, Catharine, Lewis and Rebecca. - Catharine married Samuel Clem; John married Susan Clem, George married Mary Ann Kramer, Michael married Rebecca Reese and Lewis married Maria Clem - David, his son, died during the lifetime of Jacob Wächter Senior, leaving David & Edwin R. Wächter his children - Jacob Wächter, his son, died about twenty years since and during the lifetime of Jacob Wächter Senior, leaving one child Wesley Sr. - Edwin R. died since the decease of Jacob Wächter Senior - the interest of Edwin R. descended to David Wächter, his brother. - To the 3^d Interrogatory, That Jacob Wächter Senior, died seized of real estate in Greagstown District, near Utica, Frederick County - does not know the quantity and knows nothing more in reference to this interrogatory. - To the 4th Interrogatory, That in her opinion said real estate is not susceptible of an advantageous division, but that it would be to the interest of all parties that said real estate should be sold and the proceeds divided amongst the parties entitled - thinks a division would materially injure the property and decrease its value. - To the 5th Interrogatory, That she knows nothing more than she has stated in her answers to the foregoing interrogatories. - At the same time Complainants filed with the Commissioner Exhibits Nos 1, 2, 3, 4, 5 & 6, which are herewith returned. - There being no other witnesses present to be examined and no further time being desired by the complainant for the production of his evidences, the Commissioner closed the said Commission and herewith returns the same under his hand and seal, on this 15th day of December 1862,

W. B. Nelson Comr.

Costs of Commission - Commissioners fee \$8. Witnesses Att 2, 25 =

W. B. Nelson Comr.