all for sometime past. To the 2d That he has a general knowledge of the real estate of which Nicholas Worthington died seized and possessed that it is the same as that described in Exhibits No's 1, 2 & 3 now here shown to this deponent - that the real Estate described in Exhibit No 4 was sold by the said Nicholas Worthington before his decease.

To the 3d That he does not know if said Nicholas Worthington was seized and possessed of lands in Montgomery County Maryland, that he looks at Exhibit No 5. that the signature "John H. Worthington" thereto attached is in the proper handwriting of the said John H. Worthington. To the 4th That he was acquainted with Nicholas Worthington formerly of Frederick County, Md that he is dead - that he died in said County during the month of November Eighteen Hundred and Sixty four.

To the 5th That the said Nicholas Worthington was married at the time of his death - that Henrietta Worthington, who is his widow, resides in Frederick County Maryland.

To the 6th That the said Nicholas Worthington left the following Children, namely, Laura, Claude and Fanny Worthington, all infants under the age of twenty one years and who all reside in Frederick County Maryland.

To the 7th That it would be to the benefit and advantage of the infant heirs that said real estate should be sold - for the reason that if the same were divided the parts would be too small for advantageous sale or cultivation, - that the real Estate in Frederick County is worth seven or eight thousand dollars - does not know the value of the Montgomery County Lands, supposes the Frederick County lands to contain about two hundred acres.

To the 8th Knows nothing further. Abraham H. Simmons, a witness of lawful age, produced on the part of the Complainant, being duly sworn and examined to interrogatories filed with the Commissioner by the Complainant and hereunto returned, deposes and says.

To the first - That he knows the parties to this suit and has known them all for some time past.

To the 2d - That he has a general knowledge of the real estate of which Nicholas Worthington died seized and possessed - that he looks at Exhibits No's 1, 2, 3 & 4 now here shown him and that the said Nicholas died seized of the lands described in Exhibits No's 1, 2 & 3, that he sold the lands described in Exhibit No 4, to a certain Allen W. Young before his death.

To the 3d That he knows nothing of the Montgomery County Lands - that the signature "John H. Worthington" attached to Exhibit No 5, is in the proper handwriting of said John H. Worthington - that he has seen him write and knows his handwriting.

To the 4th That he knew Nicholas Worthington, formerly a resident of Frederick County, Maryland, that he died in said County during the month of November Eighteen hundred & sixty four.

To the 5th That the said Nicholas Worthington was married at the time of his death, that Henrietta Worthington is his widow and resides in Frederick County, in the State of Maryland.

To the 6th That said Nicholas Worthington left three Children namely, Laura, Claude and Fanny Worthington all infants under twenty one years of age and all residing in Frederick County Md.

To the 7th That it would be to the benefit and advantage of the said infant heirs that said real Estate should be sold - that a division of the same would be injurious as the portions would be too small to sell or to cultivate with advantage - the Frederick County lands contain about two hundred acres, worth about seven or eight thousand dollars, knows nothing of the quantity or the value of the Montgomery County land. To the 8th That he has already stated all his knowledge. John I Simmons, a witness of lawful age, produced on the part of the Complainant, being duly sworn and examined to interrogatories filed with the Commissioner by the Complainant and hereunto returned, deposes and says.

To the 2d That said Nicholas Worthington was seized and possessed of the lands described in Exhibit No 5 and that the signature "John H. Worthington" thereto attached is in the -