are of age and who are under twenty one years of age. 2nd Is Mary Gover dead, if so, when did she die, and what children did she leave, their ages and who do they live.
3rd Is Catharine Hays dead, if so, when did she die, and what children did she leave, their ages and where do they live. 4th. Is Mary Ann Gover dead if so, when did she die, and did she leave any children, if no children, who are her brothers and sisters?
5th, Do you know the land named in this case, if so, look at Exhibit A and state whether that is the land described in said deed.
6th, Can said land be divided and laid off among all the parties, with advantage to them all, if not state your reasons 7th would it be to the interest and advantage of all the parties that said land should be sold and the proceeds divided among those interested, if so. State your reasons.

John A Lynch
Solr for Complainants

Testimony

At the Execution of the annexed commission issued out of the Circuit Court for Frederick County and to me directed and empowering me to examine witnesses in the cause therein depending, between John P Gover and others, as complainants and Margaret and Josiah Hays as defendants, I, William T. Nelson Commissioner therein named, did on the 13th day of January Eighteen hundred and Sixty Six at my office in Frederick Md. then and there proceed to take the following testimony to wit. The complainants filed with the Commissioner as evidence Exhibits A and B herewith returned, and there being no witnesses present to be examined, said Commission was adjourned to the 18th day of January, eighteen hundred and Sixty Six, when I proceeded to take the following depositions, to wit. John P. Gover, a witness of lawful age, produced on the part of the Complainants being duly sworn and examined to interrogatories filed with the commissioner and therewith returned, deposes and says.
To the first. That he knows all of the parties to this suit and that they all reside in Frederick County, Md, except Margaret Hays and James W Gover, who resides in the State of Pennsylvania that they are all adults, except Josiah and Margaret Hays, who are infants under the age of twenty one years. To the 2nd. That Mary Gover is dead, that she died last October, leaving the following children, namely, John P. George W. Joseph, Henry, Ann R. married to Hezekiah Coffinberger, Elias Gover, Susan M. married to Geo Smith and Peter Gover, all adults and all reside in Frederick County Maryland. To the 3d That Catharine Hays died about sixteen years ago, leaving the following children, namely, Susan, married to William Palmer, James Gover, Margaret and Josiah Hays, all adults except Margaret and Josiah Hays, who are infants under twenty one years of age, that Margaret Hays and James Gover reside in the State of Pennsylvania and the others in Frederick County Md. To the 4th. That Mary Ann Gover is dead, that she died about nine years since and that she left no children, that the children of Mary Gover were the brothers and sisters of the said Mary Ann Gover. To the 5th. That he knows the real estate named in the proceedings in this case, that he looks at Exhibit A, now here shown him and that the land therein described in said Exhibit is the said land. To the 6th. That said real estate is not susceptible of an advantageous division amongst the parties interested and that loss and injury would arise to all parties concerned therefrom, that said real estate consists of about forty acres which would have to be divided into seven or eight portions and that such portions would be too small for cultivation or for advantageous sale. To the 7th. That a sale of said real estate and a distribution of the proceeds thereof amongst the parties entitled would be to the benefit and advantage of all the parties interested.
Charles Shorfer, 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 therewith returned, deposes and says.
To the first - That he knows all the parties to this suit, that they all reside in Frederick County Md, except Margaret Hays and James Gover, who live in the State of Pennsylvania, and that Josiah