parties aforesaid, complainants and defendants except the wife of the said John Grof. That George Gross late of said County departed this life about the 8th day of April A D 1859 unmarried and without children; that the said Charles, John and Daniel are his only surviving brothers and the said wife of Henry Suter and the said Elizabeth Lakin are his only surviving sisters; that said Elizabeth Lakin is a widow, her husband having died several years ago. This respondent admits and says that said Elizabeth Lakin is Lunatic and insane and incapable of managing her estate; that this respondent is her trustee and Committee and has the care and management of her person and Estate, having been appointed such trustee by an order of this Court. This respondent further says that he is informed and believes that the said Geo. Gross died possessed of a valuable real estate in this County, on which is located a valuable Flouring Mill and Distillery, and that said George Gross purchased said property from John J. A Kemp. And he further says he does not believe that said property is capable of an advantageous division or partition among the aforesaid parties, and he further states that he believes it will be greatly to the interest and advantage of all the parties concerned, the said Lunatic, as well as the other parties, that said real property be sold, and the proceeds divided amongst the parties entitled, because it is distructible property, liable at any time to be distroyed by fire, the parties concerned are widely separated from each other and it would be altogether more satisfactory for each to have the control of his own portion of the property than to have it in the hands of a person of whom he would probably know nothing except by report. And this defendant is willing to submit to such decree in the premises, as to this Honorable Court may seem right and proper.

Interrogatories

And as in duty bound &c.

Signed — Geo W Crum

Frederick County towit —

On this 14th day of May A D. 1859, before the subscriber a Justice of the Peace of the State of Maryland in and for said County, personally appeared the aforesaid Geo W Crum and made oath in due form of law that the matters and things as set forth in the aforegoing answer, are true to the best of his knowledge and belief. —

Sworn before — G. Remsberg

No 2841 Equity. —

Order to Sequestrate & take testimony

Charles Gross Etal
vs
Elizabeth Lakin & Geo W. Crum

In the Circuit Court for Frederick County as a Court of Equity —

February Term 1859. —

The answer of George W. Crum the Trustee and Committee of the said Elizabeth Lakin, having been duly returned and filed the Clerk will issue a Commission to Grayson Eichelberger Esq: the regular commissioner to take testimony to prove the allegations in the bill in this case. — John A. Lynch

Solicitor for Complainants

Testimony

Commission

Maryland Sct.

The State of Maryland, To Grayson Eichelberger Esq: of Frederick County, Greeting,

Be it known, that you are appointed Commissioner, to examine witnesses in a cause depending in the Circuit Court for Frederick County as a Court of Equity, between Charles Gross et al complainants and Elizabeth Lakin and George W. Crum defendants. — You are therefore required having first taken the oath hereunto annexed, and also administered the annexed oath to the person whom you shall appoint as Clerk to attend the Execution of this Commission, that at such time and place as to you shall seem convenient, you cause to come before you all such Witnesses as shall be named and produced to you by either the Complainants or defendants; and that you examine them on their corporal oaths, to be by you administered upon the Holy Evangels of Almighty God, touching their knowledge or remembrance of any thing that may relate to the cause aforesaid; and that you cause notice to be given to the parties or their attornies, of the execution of the Commission, before you execute the same —