

Decees

depositions, to wit \rightarrow Brooke Buxton, 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. \rightarrow To the 1st Int, That he knows all of the parties to this suit, and has known them all for some years. \rightarrow To the 2nd Int That he was acquainted with William Cain formerly a resident of Frederick County, that he is dead, that he died about twenty years ago. To the 3rd Int That said William Cain left a widow, named Catharine, since deceased, and that said Catharine died during last spring. \rightarrow To the 4th Int: That he knows the real estate of which the said William Cain died seized and possessed, that he looks at Exhibit N: 1 now here shown him, and that the lands therein described are the same of which said William Cain died seized and possessed. \rightarrow To the 5th Int That said William Cain died intestate leaving the following children, namely, Joseph, John, Lydia, married to Nicholas Hill, and Mary Ann Cain, all adults, and all residing in Frederick County, Mdth except Lydia Hill who resides in Carroll County, Mdth. \rightarrow To the 6th Int That said land consists of about fifty four acres, worth ten dollars per acre. \rightarrow To the 7th Int That said real estate is not susceptible of an advantageous division amongst the parties concerned, but that it will be for the benefit of all parties in interest, that said real estate should be sold and the proceeds distributed amongst the parties according to their respective interests, for the reason that the land if divided, will be in such small parcels or portions as not to admit of advantageous cultivation or sale. \rightarrow William M. Glaze, 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. \rightarrow To the 1st Int: That he is acquainted with all of the parties to this suit, and that he has known them all for many years. \rightarrow To the 2nd Int: That he was acquainted with William Cain, formerly a resident of Frederick County, Mdth, that he is dead; that he died many years since (upwards of fifteen years ago). To the 3rd Int: That said William Cain left a widow named Catharine, who died during the spring of the present year. \rightarrow To the 4th Int: That he knows the lands of which the said William Cain died seized and possessed, that he looks at Exhibit N: 1 now shown him, and that the lands described in said Exhibit are those of which the said William Cain died seized and possessed. \rightarrow To the 5th Int: That said William Cain died intestate, leaving the following children, namely, John, Joseph, Lydia, married to Nicholas Hill, and Mary Ann Cain, all adults, and all residing in Frederick County, Mdth, excepting Lydia Hill, who resides in Carroll County, Maryland. \rightarrow To the 6th Int That said real estate consists of about fifty four acres of land, worth about ten dollars per acre. \rightarrow To the 7th Int That said lands are not susceptible of advantageous division amongst the heirs, and that it would be to the benefit and advantage of all parties interested, that said lands should be sold and the proceeds thereof be distributed amongst the parties entitled thereto; as, if the land is divided the parcels will be too small to cultivate or to sell to advantage. \rightarrow There being no other witnesses present to be examined, and the Complainants requiring no further time for the production of their evidence, the Commissioner closed the said Commission and herewith returns the same under his hand and seal, on this Eighteenth day of September A.D. 1866. \rightarrow

William B. Nelson *(Signature)*
Commissioner

Ordered \rightarrow The execution of the within Commission will appear by certain schedules thereto annexed \rightarrow
 Commissioners fees \$12.00
 Wm B Tabler, Sheriff " 80
 B Buxton Atty " 75
 W M Glaze " 75
 \$300

Trustee's Report
(Signature)