Complainants, being duly sworn and examined to interrogatories filed with the Commission by the Complainants and herewith returned, deposes and says, To the 1st Int. That he is acquainted with all of the parties to this suit except John Warner and has known them all for some years. To the 2nd Int. That he knows the lands of which Phoebe Michael died seized and possessed; that he looks at Exhibits Nos 1 & 2 now here shown him, and that the lands therein described are the same of which said Phoebe Michael died seized and possessed. To the 3rd Int. That he was acquainted with Phoebe Michael, formerly a resident of Frederick County; that she is dead, that she died in Frederick County about fifteen years ago. To the 4th Int. That said Phoebe Michael left the following Children, namely; Henry A Michael, Jane, married to John Dixon, Frances, married to John Warner, and Catharine, married to John Fisher, all adults and all residing in Frederick County Md., except Henry A Michael, who is in the Maryland Hospital and John Warner who resides out of the State of Maryland. To the 5th Int. That he knows Henry A Michael and that he is insane. To the 6th Int. That said lands are not susceptible of division amongst the parties interested, that they consist of twenty three acres; that said lands are of second quality, and that the Dwelling House &c. are worth more than the lands. Elias L Delashmutt, 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 Int. That he knows all the parties to this suit, and has known them for many years. To the 2nd Int. That he knows the lands of which Phoebe Michael died seized and possessed, that he looks at the Exhibits Nos. 1 & 2 now here shewn him, and that the lands therein described are the same of which said Phoebe Michael died seized and possessed. To the 3rd Int. That he knew said Phoebe Michael; that she died in Frederick County Md. about fifteen years since. To the 4th Int. That said Phoebe Michael left the following children, namely Henry A Michael, Jane, married to John Dixon, Frances, married to John Warner, and Catharine married to John Fisher; that they are all adults, and all reside in Frederick County, Md., except Henry A Michael, who is in the Maryland Hospital, and John Warner, who resides out of the State of Maryland. To the 5th Int. That he knows Henry A Michael; and that he is insane. To the 6th Int. That said lands are not susceptible of division among the parties interested; that said lands consist of twenty three acres, are of inferior (Second) quality, and the houses thereon are worth more than the lands. There being no other witnesses present to be examined, and no further time being required for the production of evidences, the Commissioner closed the said Commission and herewith returns the same under his Hand and Seal, on this Eighth day of April, Eighteen hundred and Sixty seven.

William B Nelson (Seal)
Commissioner

Decree

John Dixon & Jane Dixon his wife
vs
Henry Adolphus Michael et al.

No 3323 Equity
In the Circuit Court for Frederick County,
Sitting as a Court of Equity
February Term 1867

The above cause standing ready for a hearing, and being submitted, the Bill, answer, Exhibit, Order of publication, depositions, and all other proceedings were by the Court read and considered. It is thereupon, this 10th day of May in the year Eighteen hundred and Sixty seven, by the Honorable Madison Nelson Circuit Judge for the Fourth Judicial Circuit of the State of Maryland, and by the authority of the Circuit Court for Frederick County, as a Court of Equity, adjudged, ordered, and decreed, that the Bill be taken pro Confesso against John Warner the non resident Defendant. And it is further ordered, adjudged, and decreed that the lands, premises mentioned in these proceedings be sold, and that Elias L Delashmutt of Frederick County, be, and he is hereby appointed a Trustee to make the said sales, and that the course