

returned deposes and says. To the 1<sup>st</sup> Interrogatory I know all the parties to this suit and have known them for many years To the 2<sup>d</sup> Interrogatory I know Jacob Her Sr he died of little over a year ago. To the 3<sup>d</sup> Interrogatory The said Jacob Her died seized and possessed of about 50 acres of land located about two miles and a half North East from Chordsborough and is adjoining the lands of Col. Noah Phillips William Hawk + Peter Her Sr + others I look at the papers here shown me marked Exhibits Nos 1, 2, + 3 the Real estate of which said Jacob Her died seized is the same as that described in these Exhibits. To the 4<sup>th</sup> Interrogatory Jacob Her Sr left a widow named Margaret Her who is about seventy five years of age + upwards Jacob Her left following named children as heirs at Law all of whom are over 21 years of age born as Jacob Her Peter Her Mary Her Barbara named to Tang Fritz John Her and William Her they all reside in Frederick's County except for a Her John Her + Peter Her who live out of the State of Maryland To the 5<sup>th</sup> Interrogatory I was acquainted with John + Maryland Trustee of Jacob Her Sr he is dead and has been dead for several years To the 6<sup>th</sup> Interrogatory The real estate of which Jacob Her Sr died seized viz not admit of division among his children and heirs at Law without great injury and loss to all parties interested my opinion for this opinion is they here are so numerous the tract of land is small and the location such as not to admit of advantageous division It will be to the advantage of all the parties interested that the same should be sold and the proceeds divided among the heirs entitled to the same. There being no further testimony and no further time being required for the production of Witnesses I have closed this Commission and hereunto return the same together with Exhibits Nos 1, 2, 3, 4, 5, 6, 7, 8, and 9 filed with me by the Solicitor for the Complainants as evidence in this Cause under my hand and seal this 7<sup>th</sup> day of February 1861

Ulysses Hobbs (Seal)  
Commissioner

Certif of pub of office  
Peter Her et al } No 2942 Equity In the Circuit Court for Frederick's County sitting as a Court of Equity  
Margaret Her et al }

The object of the Complainants bill of Complaint in this case is to obtain a decree for the sale of the Real estate of Jacob Her Sr dec<sup>d</sup> for the purpose of distributing among the heirs at Law of the deceased and those entitled. The Bill states that Jacob Her died intestate seized and possessed of a tract of land containing about 57 acres of land and called The Runny, or Long Neighborhood lying and being situated in Frederick's County in the State of Maryland which tract is described