

as said William Gurney and lying near to the above mentioned tract or parcels of land. I propose out the said tract of land of one hundred acres and the said tract of land, a more fit & acceptable of an advantageous division so as to give to those entitled to the same, their respective shares of said land and would it or not be the advantage and interest of all interested in said land to have the same sold and the proceeds distributed among those entitled in the respective proportions to which they are entitled.

Wm. P. Mauley & Geo. Ritchie
Solicitors for Complainants.

At the Execution of the aforesaid Commission issued out of the Circuit Court for Frederick County sitting as a Court of Equity - and to one directed and empowering me to examine evidence in a cause pending in said Court between George Blefing and others as Complainants and Mary E. Gurney and others as defendants being No 2607 on the Equity docket of said Court I Georgeon Eschellberger Commissioner duly qualified did on Tuesday the 31st day of March 1857 pursuant to notice thereof previously given to the Solicitor for the parties and herewith returned proceed of my law office in Frederick in the presence of the Solicitor for the Complainants to take the following depositions each deposed a witness of lawful age produced on the part of the Complainants being duly sworn and examined to interrogatories filed with me by the Complainants Solicitor & herewith returned deposes & says. In the 1st Interrogatory I was acquainted with the said William Gurney in his lifetime he is dead and died about fifteen years ago - In the 2nd Interrogatory William Gurney left at the time of his death the following children as heirs at law viz Charles Frederick, Eliza, William E. Mary Ann & Susan Ann Gurney. In the 3rd Interrogatory Charles Frederick and Mary Ann died since their father Charles died leaving children by many & Ann upon one of his children is named Alfred and another Charles Frederick I don't know the names of the others Frederick died leaving four children their names are William S. Belinda, Amelia and Mary. Mary Ann died leaving one child Luther Beck said Mary Ann having married Minerva Beck. In the 4th Interrogatory I am acquainted with the tract of land and real estate will not admit of division among all the parties entitled to the same without injury & loss and in my opinion it will be to the advantage & for the benefit of all said parties that said land should be sold and the proceeds distributed among them.

Nicholas Fogle a witness of lawful age produced on the part of the Complainants being duly sworn and examined to said interrogatories deposes and says. In the