

had two sisters, namely Susannah, married first to Cyrus Nusz, and afterwards to George Cutsail, and Rebecca unmarried; that both are dead, and both died before Elias aforesaid; that Susannah left five children namely; Peter C. Nusz, Julia A. Nusz, Ann R. Cutsail, Arianna Cutsail and Jerome Cutsail. ~ To the 7th Sub. That said Elias died intestate. ~ To the 8th Sub. That said Elias died seized of lands; that he is acquainted with said lands, that they are situated in Frederick County aforesaid, containing about one hundred and ninety acres, sixty acres in wood and balance arable land. ~ To the 9th Sub. That the property described in the Bill and Exhibits is the same of which the said Elias died seized and possessed. ~ To the 10th Sub. That said are not susceptible of an advantageous division without injury to the parties interested, and that it will be for the benefit of all parties concerned that said lands be sold, and the proceeds distributed among the parties entitled, that the lands are so located that they cannot be equally or satisfactorily divided, and if divided, the parcels would be too small for advantageous cultivation or sale and there would be no outlet from some of the portions. ~ To the 11th Sub. That he knows nothing further.

Nathan O. Neighbors, 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 Sub. That he knows the parties to this suit and has known them for some years; that they all reside in Frederick County, Maryland, and are all adults except Arianna & Jerome Cutsail, who are infants under the age of twenty one years. To the 2nd Sub. That he knew Elias Broome mentioned in the Bill of Complaint in this case; that he knew him for thirty five or forty years; that he resided in Frederick County, Md. and died in said County about November 1846 ~ To the 3rd Sub. That said Elias was married and left a widow named Mary, still living. ~ To the 4th Sub. That said Elias left no children, but had a child about thirty years ago, who died aged about two years. ~ To the 5th Sub. That he knew the parents of said Elias; that they both died before Elias. ~ To the 6th Sub. That said Elias had two sisters, namely, Susannah, married to Cyrus Nusz, and George Cutsail, and Rebecca, unmarried; that they are both dead; both died before Elias. that Susannah left five children, namely; Peter Elias Nusz, Julia A. Nusz Ann R., Arianna, and Jerome Cutsail. ~ To the 7th Sub. That said Elias died intestate. To the 8th Sub. That said Elias died seized of lands; that he knows said said lands; that they are situated in Frederick County aforesaid, consist of one hundred and ninety acres, sixty acres in wood and the balance in arable land. ~ To the 9th Sub. That the lands described in the Bill and Exhibits in this case, are those of which the said Elias died seized and possessed. ~ To the 10th Sub. That said lands cannot be divided without injury to the parties interested; and that it will be for the benefit and advantage of all the parties interested that the said lands should be sold, and the proceeds distributed among the parties entitled. That if divided, the parcels would be too small for advantageous sale or cultivation, and there would be no outlet to some of the parcels ~ To the 11th Sub. That he knows nothing further. ~ There being no other witnesses present to be examined and the Complainants requiring no further time for the production of their evidences, the Commissioner closed the said Commission and herewith returned the same, under his hand and seal, on this Twelfth day of February Eighteen hundred and Sixty Seven. ~

William B. Nelson
Commissioner

Commissioner's fees \$ 12 00
 Sheriff's fees (Faber " 80
 N. O. Neighbors, Atty " 75
 Samuel Wolfe " " 75
 \$ 14.30

William B. Nelson
Commissioner

Which is thus Endorsed ~ The execution of the within Commission will appear by certain schedules thereunto annexed. ~
 Filed February 12th 1867 ~
 William B. Nelson
Commissioner