

of the Int. Would said Land admit of division among said devisees, and tenants in common without injury or loss? And would it not be to the interest and advantage of all concerned, infants as well as adults, that said real estate should be sold? State fully all your knowledge herein, and your reasons for your opinion. ~

Milton G. Brown,

Solicitor for Complainants.

Testimony

At the execution of the annexed Commission issued out of the Circuit Court for Frederick County, and to me directed, and empowering me to examine, produce in the cause therein depending, between Thomas W. Lease and wife, as Complainants and Anne Snyder and others, as Defendants; I William B. Nelson, Commissioner therein named, did on the 24th day of October A.D. 1867, at my Office in Frederick Co^{ty} proceed to take the following testimony, to wit. The Complainants filed with the Commissioner as evidence, Exhibits Nos. 1 & 2, which are herewith returned. And there being no other evidence, and no witnesses present to be examined, the said Commission was adjourned to the 31st day of October 1867, at which time and at the place aforesaid I then and there proceeded to take the following depositions to wit. ~ H. W. D. Waters, 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 is acquainted with the parties to this suit and has known them all for some years. ~ To the 2nd Int. That he knows Henry M. Snyder, formerly a resident of Frederick County, Md^{ty}, that he is dead; that he died in Frederick County aforesaid, about one year since.

To the 3rd Int: That he looks at Exhibit No. 2 now ^{here} shown him; that he does not know the names of the children of said Henry M. Snyder; that they are adults, except the three youngest, who are infants under the age of twenty one years. ~

To the 4th Int: That he looks at Exhibit No. 1 now here shown him; that the lands therein described are the same of which the said Henry M. Snyder died seized and possessed, described in 4th item of said Henry M. Snyder's Will. ~

To the 5th Int: That said Real Estate consists of about Two Hundred and Twenty Acres of Land, worth about twenty five Dollars per acre. ~

To the 6th Int: The Deponent knows nothing. ~

To the 7th Int: That said Lands will not admit of advantageous division amongst the parties entitled, and that it would be for the benefit, and to the advantage of all parties interested, that said lands should be sold, for the reason that if divided, the parcels would be too small for advantageous cultivation or sale. That said lands now rent for One Hundred and fifty dollars per Annum only, and if sold, and the proceeds properly invested, the income therefrom will be twice or three as much as is now received therefrom. ~

Joseph Wood, 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 First Int: That he is acquainted with all of the parties to this suit, and that he has known them all for many years. ~

To the 2nd Int: That he was acquainted with Henry M. Snyder, formerly a resident of Frederick County Maryland; that he is dead; that he died in said County about one year ago. ~

To the 3rd Int: That he looks at Exhibit No. 2, now here shown him, that said Henry M. Snyder devised the real estate mentioned in the 4th item of his Will, to his following children, namely: Olivia Jane, married to Thomas W. Lease, Anna Emma, Henry M. Clarence, and Fanny Snyder, all adults except Henry M., Clarence and Fanny Snyder, who are infants, under the age