

would not be to the interest and advantage to all the parties interested that the said lands be sold and the proceeds divided amongst those interested? State fully all your knowledge herein. ~

Filed Sept 4th 1868

W. J. Ross } Solicitors for
C. W. Ross } Complainants

Commissioners

At the execution of the aforesaid Commission issued out of the Circuit Court for Frederick County and to us directed empowering us to examine evidences in the Cause depending in the said Court, between John W. Diehl and Hannah Diehl his wife and Annie E. Pfoutz, vs. William H. Renner and Elizabeth Renner his wife, Daniel R. Saylor and Sarah E. Saylor his wife, Martha Pfoutz and Eda Pfoutz, Mr. Francis Brengle and J. E. Wood, Commissioners thereof named did on the 23rd day of September A.D. 1868, at our office in Frederick City Md^o then and there proceed to take testimony as follows: The Complainant filed with the Commissioners as provided, Exhibits 1, 2, 3, 4, 5, 6, 7, 8, & 9, herewith returned, and then and there in the presence of the Complainant's Solicitors proceed to take the following depositions, to wit: ~

Daniel Roof of Carroll County, a witness of lawful age, produced on the part of the Complainants, being duly sworn and examined to Interrogatories filed with the Commissioners by the Complainants and herewith returned, deposes and says. ~

To the 1st Int: ~ That he knows the parties to this suit, and has known them for a number of years. ~

To the 2nd Int: That he is acquainted with the lands whereof George Pfoutz late of Frederick County died seized and possessed, and the Exhibits 1, 2, 3, 4, 5, 6, 7, 8, 9, contain a correct description of said lands. He has sold several lots of it of No. 8. ~

To the 3rd Int: That he was acquainted with a certain George Pfoutz formerly a resident of Frederick County, for upwards of forty years. He is dead, died in Frederick County in the month of January A.D. 1868. ~

To the 4th Int: That the said George Pfoutz was married at the time of his death and left a widow Catharine Pfoutz, who resides in Frederick County.

To the 5th Int: That the said George Pfoutz left children, Hannah, Annie, E., Elizabeth, Sarah E. Adull, Martha and Eda, infants. Hannah married to William H. Renner, Sarah, married to Daniel R. Saylor. ~

All live in Frederick County except Daniel R. Saylor and his wife who reside in Carroll County ~

To the 6th Int: That he is acquainted with the lands whereof the said George Pfoutz died seized and possessed, and thinks it would be to the interest and advantage of the parties interested, to have the lands sold, and the proceeds divided, and that it would be to the loss and injury of the parties interested, to have them divided. ~

Christian N. Barber, a witness of lawful age produced on the part of the Complainants, being duly sworn and examined to Interrogatories filed with the Commissioners by the Complainant's Solicitors, and herewith returned, deposes and says. ~

To the 1st Int: ~ That he knows the parties to this suit, has known them from infancy. ~

To the 2nd Int: ~ That he is acquainted with the lands whereof the late