Testimony.

At the execution of the annexed Commission issued out of the Circuit Court for Frederick County, sitting as a Court of Equity, and to us directed and empowering us to examine Witnesses in the Cause depending in the said Court, between Otho W. Cecil et al. vs. Hamadethea Cecil et al. we Francis Brengle and J. E. R. Wood, Commissioners therein named, having met at our office in Frederick City Md. on the 14th day of December A.D. 1869, did then and there in the presence of Complainants Solicitor, take the following depositions to wit:

Isaac Davis, 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 hereunto returned, deposes and says ~

To the 1st Int: That he knows the parties to this suit, and has known them all his life. ~

To the 2nd Int: ~ That the names of the parties are as follows, Ann Cecil, widow of Samuel Cecil, and the names of the Children are as follows, Otho W. Cecil, and Wilson H. Cecil, who reside in Montgomery County County Maryland, Levin R. Cecil and Catharine Baker wife of Charles H. Baker who reside in Frederick County Md., Hamadethea Cecil who is a non resident of the State of Maryland residing in California, Rhoda E. Crawford wife of Geo W. Crawford, who reside in the State of Indiana, Amanda Baker wife of George E. Baker who reside in the State of Virginia. ~

To the 3rd Int: ~ That he knows the real estate mentioned in the proceedings in this case. It is not susceptible of advantageous division among so many heirs, and that it would be to the interest of all the parties if it was sold, and the proceeds divided, because the property is too small for an advantageous division. ~

To the 4th Int: ~ That he did know Samuel Cecil, He is dead. He died intestate aged seventy years. He died possessed of the Real Estate mentioned in these proceedings. ~

To the 5th Int: ~ He left a widow Ann Cecil aged about sixty years. He left children, those whose names and residences are given in Interrogatory 2nd. ~

R. W. Holland, 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, and hereunto returned, deposes and says ~

To the 1st Int: ~ That he knows the parties to this suit, and has known them all his life. ~

To 2nd Int: ~ That the names of the parties are the following, Ann Cecil, widow of Samuel Cecil, the names of the children are, Otho W. Cecil and Wilson H. Cecil, who reside in Montgomery County Maryland and Levin R. Cecil and Catharine Baker wife of Charles H. Baker who reside in Frederick County Md., Hamadethea Cecil who is a non resident of the State of Maryland, residing in California, Rhoda E. Crawford wife of George W. Crawford who reside in the State of Indiana, Amanda Baker wife of George E. Baker who reside in the state of Virginia. ~

To the 3rd Int. That he knows the real estate mentioned in the proceedings in this case. That it is too small to be advantageously divided among so many heirs, therefore it would be to the advantage and interests of all the parties if it was sold and the proceeds divided. ~

To the 4th Int. That he did know Samuel Cecil. He is dead. He died