To the 4th Inty. That the said Brook Buxton Sr. was married at the time of his death. Lydia A Buxton is his widow, she resides in Frederick County Maryland. ~
To the 5th Inty. That said Buxton left children and grand children, as follows, John T Buxton Jr. William H Buxton, Basil F. Buxton and Mary E Buxton who married Ephraim Hood, who are all over 21 years of age; James E Buxton who is under twenty one years of age, and Ella E Mullinix, W M. Mullinix and Leonard W Mullinix, who are Grand Children of Brook Buxton Sr. and who are Children of Susan J Mullinix, wife of John Mullinix, daughter of Brook Buxton Sr. and the Grand-Children, are all under twenty one years of age, and all reside in Frederick County, except the Grand children who reside in Montgomery County, State of Maryland John T Buxton married Sarah Brengle. Brook Buxton Jr. married Emma J. Baker, Mary E Buxton married Ephraim Hood. ~
To the 6th Inty. ~ That undoubtedly the property of Brook Buxton Sr. deceased, could not be divided among all those interested without loss and injury, and that it would greatly to the interest and advantage of all the heirs, infants as well as adults that said property should be sold, and the proceeds divided amongst all the heirs. ~

There being no other witnesses present to be examined, the Commissioners adjourned the Commission, at the request of the Solicitor for the Complainants, until the 25th day of November A.D. 1869, at which time and at the place above mentioned, the Commissioner proceeded to take testimony as follows. ~

The Complainants Solicitor, filed with the Commissioner as evidence Exhibits Nos. 1. & 2, and Exhibit A, and herewith returned, We then and there proceeded to take the following depositions, to wit:

George M. Delay, 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 Inty. ~ That he knows all the parties to this suit, and has known them for many years. ~
To the 2nd Inty. ~ That — is acquainted with the lands of which Brook Buxton Sr. deceased, died seized and possessed, and that said lands are accurately and correctly described in Exhibits Nos 1 & 2. That he knows said lands well. ~
To the 3rd Inty ~ That he was acquainted with Brook Buxton Sr. late of Frederick, he is dead, he died in March A.D. 1869 at the Relay House in the State of Maryland.
To the 4th Inty. ~ That said Brook Buxton Sr was married at the time of his death. Lydia A Buxton is his widow, she resides in Frederick County, State of Maryland,
To the 5th Inty. ~ That said Brook Buxton Sr. left children and Grand-children as follows, John T. Buxton, Brook Buxton Jr. William H Buxton, Basil F Buxton and Mary E Buxton, who married Ephraim Hood; who are all over twenty one years of age, and all reside in Frederick County Maryland; James E Buxton, who is under twenty one years of age and resides — Frederick County Maryland; he also left Ella E Mullinix, W M Mullinix and Samuel W Mullinix, grand children of said Brook Buxton Sr. deceased, are all under twenty one years of age and all reside in Montgomery County State of Maryland. John T. Buxton married Sarah Brengle, Brook Buxton Jr. married Emma J. Baker, and Mary E Buxton, married Ephraim Hood. ~
To the 6th Inty. ~ That said Real Estate had better be sold and the proceeds divided among those interested, for it would be to the interest and advantage