possessed. ~ That he hears Exhibit No 1 read and said Exhibit does describe the said lands correctly. ~
To the 5th Int ~ That the said John Kinney died intestate, leaving children as follows, Susan Kinney, intermarried with Zacharias Myers, Mary Ann married to John Kinney, Sarah Kinney, married to David Barnhart, all of whom reside in Frederick County except Sarah married to David Barnhart, who reside in Baltimore County Maryland. ~
To the 6th Int: ~ That the land of said John Kinney consists of about one acre, and the value of it ought to be five hundred dollars. ~
It would not be to the advantage of the parties interested to divide this land, it is too small a track and should be sold, and the proceeds divided among the heirs. ~

Zacharias Myers, a witness of lawful age produced on the part of the Complainants, being duly affirmed and examined to interrogatories filed with the Commissioners by the Complainants, and hereunto returned deposes and says. ~
To the first Int: ~ That he knows all the parties to this suit, and has known them for many years. ~
To the 2nd Int ~ That he was acquainted with John Kinney, He is dead, He died several years ago, in Frederick County Maryland. ~
To the 3rd Int. ~ That John Kinney left a widow named Margaret Kinney who has been dead about a year. ~
To the 4th Int ~ That he knows the lands of which John Kinney died seized and possessed. That he hears Exhibit No 1. read and knows that the lands are therein correctly described. ~
To the 5th Int. ~ That John Kinney died intestate, leaving children as follows: Susan Married to Witness, Mary Ann Kinney married to John Kinney, Sarah Kinney Married to David Barnhart, all of whom reside in Frederick County except David Barnhart and wife who reside in Baltimore County, State of Maryland. ~
To the 6th Int. That the land consists of about one Acre, That it cannot be divided among the heirs at law without loss and injury, and that it would be to the interest and advantage of all the heirs, that the said land should be sold and the proceeds divided among those interested. ~ It is too small to be divided, All the parties to this suit are of age, but John Kenney and wife will not consent that the property should be sold. ~

There being no other witnesses present to be examined and neither party desiring further time for the production of their Evidences the Commissioners closed the Commission and hereunto return the same under their hands and seals this 14th day of February A.D. 1870.

Francis Brengle (Seal)
J E R Wood (Seal)

Costs of Commission
Commissioner's fees $12.00
Samuel B Ecker 75
Zacharial Myers .75
Sheriff's fees 80
$14 30

Francis Brengle (Seal)
J E R Wood (Seal)

Filed Feby 14th 1870