

Commission until the 21st day of February 1870 at four O'clock P.M. at which time, and in my Office in Frederick City, I Francis Brangle, the Commissioner above named proceeded to take the following testimony, that is to say, due notice thereof being given to the parties.

I Clinton Johnson, a witness of lawful age, produced on the part of the defendant, Mrs Ellen Jones, being duly sworn and examined to interrogatories special, filed with the Commission and herewith returned deposes and says, that is to say;

1st Sub: Are you or not acquainted with the parties to this suit? If yes, how long?

Answer - I know the parties to this suit and have known them for many years.

2nd Sub: Were you or not acquainted with Francis S. Jones, late of Frederick County? If yes, is he alive or dead?

Answer - I did know Francis S. Jones, he is dead.

3rd Sub: Did he or not leave a widow and children? If yes, state their names & ages.

Answer - He left a widow, Mrs Ellen Jones, and children as named in the Bill in this Cause. Albert Jones, married to Margaret Ann Poole, over the age of twenty one years, John Dorsey, over the age of twenty one years, Frank B., over the age of twenty one years and a lunatic, now in St. Agnes Hospital Baltimore Maryland, William D., aged eighteen years, Edward, aged fifteen years and Charles, aged eleven years.

4th Sub: - Are you or not acquainted with the land of which Francis S. Jones died seized and possessed, described in the Bill in this Cause, and the Exhibits therewith? If yes, state their general character and how improved, and where situate, and what in town, and what in the County.

Answer - I am acquainted with the land of which Francis S. Jones died seized and possessed, described in the Bill in this Cause and Exhibits therewith filed. There is a farm near Liberty Frederick County, Maryland of One hundred and thirty acres with a dwelling house, Barn and other Outhouses. - There is a wood lot on Mount Pleasant District, about three miles from the farm containing Seventeen Acres, and a Brick Dwelling House, weather boarded House, and store with stabling attached, the lot adjoining the said buildings being about an acre. These are situated in Liberty town, Frederick County, Maryland which said buildings have the lot, well, water, stabling and all Outhouses in common.

5th Sub: How would the interests of said infant children be affected by an assignment of dower to said Widow in said lands, as compared with a sale of the same free of dower, the equivalent thereof being secured to the widow from the proceeds of such sale?

Answer - Looking at the situation, character and arrangements of the property, I think an assignment of dower would be disadvantageous to all concerned, and very difficult to make to make, and I think that the interests of all concerned including the infants, in the property would relatively bring more if sold as stated, than if sold subject to the dower - The Assignment of dower in the farm would be difficult, and would impair relatively the value of the portions ^{not} assigned in attempting it, because the buildings are about in the centre of the place, and the land all around. - The Wood lot is covered with different kinds of timber, and the growth on some parts might be heavier than that on others, and thus make it difficult to assign dower in. The town property is difficult of assignment, because of its