

be so divided, without loss and injury to the parties interested. That he thinks the expense of dividing and improving said lands, so as to make separate farms of the different shares, would be altogether out of proportion to the value of said shares.

Oliver Michael, a witness of lawful age, produced on the part of the complainant, being duly sworn and examined to the interrogatories aforesaid, deposes and says.

To the 1st Interrogatory - That he is acquainted with all the parties to this suit, and has known them several years.

To the 2nd Interrogatory - That he was acquainted with said Charles E. Thomas, that he is dead, that he died at his residence in Frederick County in March 1869.

To the 3rd Interrogatory - That said Charles E. Thomas, was married at the time of his death, that his widow is Mrs. Eliza J. Thomas, and that she resides at the late residence of said Charles E. Thomas, in Frederick County.

To the 4th Interrogatory - That said Charles E. Thomas did leave children - That Dependent has heard George W. Slaughter and Dr. Lloyd J. Duvall testify in this case in answer to this interrogatory, and that the names, ages, and place of residence of said children are correctly stated in the foregoing testimony of said witnesses.

To the 5th Interrogatory - That he is acquainted with the lands of which Charles E. Thomas died seized and possessed, and that said lands are described in said Exhibits Nos 1 and 2, now shown him.

To the 6th Interrogatory - That he thinks said lands cannot be so divided, without loss and injury to the parties interested - That the small portions of land which each one would obtain, would not justify the expense that would be necessary in building and fencing, and that therefore, the interests of the parties entitled would be injured by such division.

There being no other witnesses to be examined, and neither party desiring further time for the production of evidence, the Commissioners closed the said Commission, and herewith returns the same under their hands and seals this 13th day of April A.D. 1871.

Commissio ⁿ		Geo. K. Shellman	(Seal)
Commissioners fees	\$ 8.00	J. E. R. Wood	(Seal)
Sheriff's "	1.20		
Dr. L. Duvall "	.75		
George W. Slaughter "	.75		
Oliver Michael "	.75	Geo. K. Shellman	(Seal)
	\$ 11.45	J. E. R. Wood	(Seal)

Filed April 15th 1871

Interrogatories

David O. Thomas vs Mrs. Eliza J. Thomas, Anne M. Thomas, Maggie D. Thomas, and Harriette Thomas, Eliza J. Thomas, Charles E. Thomas & Miller

No. 3586 Equity

In the Circuit Court for Frederick County in Equity.

Interrogatories to be proposed to witnesses to be produced on the part of the complainant.

1st Int. Are you or not acquainted with the parties to this suit or either and which of them? If yes, how long have you known them and each of them?

2nd Int. Were you or not acquainted with one Charles E. Thomas formerly a resident of Frederick County? Is he dead or alive? If dead, when and where did he die?