Daniel A Miller, a witness of Lawful age produced upon the part of the Complainants being duly sworn and examined to interrogatories filed with the Commissioners by the Complainants & therewith returned deposes and says to the
1st " Int: I know all the parties and have known them for some years;
2d " Int: I was, she died in Frederick County Md in October or November 1872,
3d " Int: She was. of a House and Lot in Middletown Frederick County Md, I look at "Exhibit No. 1" said Exhibit contains a true description of said Real Estate.
4th " Int: She was unmarried at the time of her death and died intestate,
5th " Int: She left Eight children as follows: Peter aged about forty eight years and residing in Ohio. Henry about Forty two years and residing in Ohio. John Thomas aged about thirty two years and residing in the State of Ohio Catharine said to be married to — Wilson aged about and residing in Baltimore City Md, Sarah aged about forty six years and residing in Frederick County Md. Susan married to John Gardner aged about thirty eight years and residing in Frederick County Md, Rebecca married to Thomas Kinna aged about Thirty Four years and residing in Howard County Md. and Elizabeth Beckenbaugh aged about Twenty Six years and residing in the State of Ohio.
6th " Int: They have and they were rejected the Complainant John Gardner wrote to them asking to unite in a sale of said Real Estate and received no answer from them He went to see them and they all refused except Thomas Kinna and wife who consented with the Complainant in a Sale.
7th " Int: It cannot, because it consists of a House and Lot which cannot be divided.
8th " Int: In my opinion it would be for the advantage of all parties interested that said Real Estate should be sold and the proceeds be distributed among the parties entitled for the reason that the property is daily depreciating and if rented after payment of necessary repairs taxes &c there would be no income from the property. Interrogat
9th " Int: I know nothing further.

John Gardner, a witness of lawful age produced upon the part of the Complainants being duly sworn and examined to interrogatories filed with the Commissioners by the Complainants and herewith returned deposes and says to the
1st " Int: I am acquainted with all the parties and have known them all for many years.
2d " Int: I was, She is dead she died in Frederick County Md, in the fall of 1872.
3d " Int: She was. A House and Lot in Middletown Frederick County Md I look at "Exhibit No. 1" now here shown me, the property therein described is the same of which said Mary Beckenbaugh died, seized and possessed.
4th " Int: She was unmarried at the time of her death. She died intestate.
5th " Int: The said Mary left the following children namely; Peter Beckenbaugh aged about forty eight years and residing in the State of Ohio. Henry Beckenbaugh aged about forty three years and residing in the State of Ohio. John T Beckenbaugh aged about thirty two years and residing in the State of Ohio. Catharine claiming to be married to a certain — Wilson aged about forty one years and residing in Baltimore City Md, Sarah Beckenbaugh aged about forty six years and residing in Frederick Co Md. Susan married to deponent aged about thirty eight years and residing in Frederick County Md. Rebecca married to Thomas Kinna aged about thirty four years and residing in Howard County Md. and Elizabeth Beckenbaugh aged about twenty six years and residing in the State of Ohio.
6th " Int: They have, they were rejected I wrote to all of them to unite in a sale and received no reply. I then went to see them and they all refused except Thomas Kinna and wife who consented to unite in a sale of the said Real Estate.