5th Did said Stull leave him surviving a Widow & Children, if yea, state first the name of the Widow and her age. Second: State the names of said children and which of them are infants under twenty one years of age.
6th State whether the Real Estate mentioned in these proceedings is susceptible of an advantageous division amongst the parties entitled to the same, namely the Widow and Children of said Dennis Stull or whether it would or not be to the benefit and advantage of all said parties that the same should be sold and the proceeds distributed amongst them according to their respective interests give your reason for your opinion.
7th State any thing else which you may know &c.

Fred. J. Nelson
Sol for Complts.

Testimony

At the execution of the annexed Commission issued out of the Circuit Court for Frederick County and to me directed and empowering me to examine witnesses in the cause therein depending between Antoinette Paller and others as Complainants and Singleton T Stull and others as Defendants. I William B Nelson Commissioner therein named did on the 2nd day of October AD 1871 at the Law Office of William B Nelson Esquire at Frederick City Maryland then and there proceed to take the following depositions, the Complainants having filed with the Commissioner as evidence "Exhibit No. 1" which is herewith returned.

Theodore Shultz, a witness of lawful age produced upon the part of the Complainants being duly sworn and examined to interrogatories filed with the Commissioner by the Complainants & herewith returned deposes and says To the
1st Int. That he has known all of the parties to this suit for many years.
2nd Int. That he knew Dennis Stull and that he is dead and that he died in Frederick City Md. during the month of July Eighteen hundred and Seventy one.
3rd Int: That he died intestate.
4th Int: That he died seized and possessed of Real Estate as described in "Exhibit No. 1" filed in this case and now here shown him.
5th Int: That he left a Widow named Sarah J Stull in good health aged nearly Fifty one years, the following children namely, Antoinette married to George Paller, Ellen married to Charles Ridgely, Singleton T Stull Indiana Stull, Carlton Stull and Daniel Stull all infants under the age of Twenty one years and all residing in Frederick Co Maryland.
6th Int: That said Real Estate is not susceptible of advantageous division amongst the parties interested and that it would be for the benefit and advantage of all parties concerned that the same should be sold and the proceeds distributed amongst the parties thereto entitled for the reasons that said Real Estate consists of a House and Lot that the said House is out of repair and if rented after paying taxes and repairs there would be little or nothing left for the support of said children, thinks it would take half of rent to pay the taxes and for repairs.
7th That he knows nothing further.

Joshua Stull, a witness of lawful age produced upon the part of the Complainants being duly sworn and examined to interrogatories filed with the Commissioner by the Complainant & herewith returned deposes and says To the