

1<sup>st</sup> Sub: That he is acquainted with the parties to this suit and that he has known them all for many years.

To the 2<sup>nd</sup> Sub: That he was acquainted with Rachel Griffiths but did not know Lemuel Griffiths, that Rachel Griffiths died about six years since and that Lemuel Griffiths died about twelve years since that Rachel Griffiths left the following children namely, Ann married to William Watkins, Lyde, Henry A. Charles A. Mordecai J. John A. Columbus and Mary S. married to Samuel W. Plummer that he has no personal knowledge of the habits of the said Samuel W. but that his reputation was that of an intemperate and improvident man that Charles A. and Mordecai J. Griffiths are both dead and both died since their mother Rachel Griffiths that Charles A. died testate and Mordecai J. intestate that Mordecai J. left the following children namely, Anna Mary and Beron H. Griffiths and no widow that Beron H. is dead and Anna Mary is living that Beron H. was five or six years of age when he died and that he died intestate that Anna Mary was her at-law of Beron H. and that said Anna Mary is an infant aged about twelve years that Beron H. died before Charles A. Griffiths

To the 3<sup>rd</sup> Sub: That he is acquainted with the Real Estate described in this interrogatory, that it lies in Montgomery County Maryland and contains about One hundred and Sixty acres of Land that said Real Estate is not susceptible of an advantageous division amongst the parties concerned but that it will be for the benefit and advantage of all parties interested that the said Real Estate should be sold and the proceeds thereof be distributed amongst the parties entitled according to their respective interests that the said Lands are very poor in quality that there is a Chronic Mire on said Real Estate that if divided there will be nine shares and the parcels would be too small to admit of advantageous cultivation or sale.

At the same time the Complainants filed with the Commissioner as evidence Exhibits Nos. 1 and 2, and Deft. filed Exhibit "B. W. G." which are herewith returned and on this 12<sup>th</sup> day of March in the year 1867, the Complainants requiring no further time for the production of their evidence the Commissioner closed the said commission and herewith returns the same on the day and year aforesaid under his hand and seal.

W B Nelson seal  
Commissioner

Commiss fee      \$ 8.00  
Jos Wood Att         75  
                             \$ 8.75

Court's  
Opinion and  
Decree

Paul W Plummer & wife  
and others  
vs  
Lyde Griffiths & wife & al

No. 3319 Equity  
in the Circuit Court for Frederick County  
as a Court of Equity.

This cause having been argued by the solicitors of the respective parties on the Bill answers and testimony on the 18<sup>th</sup> day of December A. D. 1868 and submitted to the Court they have examined the papers and the authorities referred to. — The object of this proceeding is to obtain a decree for the sale of the One hundred and sixty acres of Land mentioned