

Francis Brough and J & P Wood Commissioners therein named did on the 2nd day of August 1869 at our Office in Frederick, City Md proceed to take the following depositions in the presence of the Complainant's Solicitor (the Complainant having first filed Exhibit A. herewith returned as evidence in this cause.

Oliver Morrison, a witness of lawful age produced on the part of the Complainant being duly sworn and examined to interrogatories filed with the Commissioners by the Complainant and herewith returned deposes and says that is to say,

1st Interrogatory, Do you know the parties to this suit.

Answer, I know the parties to this suit, their names are Abraham Troppell and Isabella A. his wife and Samuel Haam Josephine E Haam his wife and John P Melly Guardian and prochein Amis of John J Mc Melly and Jacob Shely Jesse E Mumma and Susan E his wife

2nd Interrogatory, Did you know John Shely in his life time, how dead he died about the 19th day of May A. D. 1869, he left children Jacob Shely and Susan E Mumma wife of Jesse A Mumma and Josephine E Haam wife of Samuel Haam, Isabella A Troppell wife of Abraham Troppell John J Mc Melly who are the children of Mary Melly who was the daughter of John Shely deceased, they all reside in Frederick County Maryland.

3rd. Interrogatory. Do you know the Real Estate mentioned in the Bill of Complaint and if so how much is its value, how much is there of it and where is it situated.

Answer, I know the Real Estate mentioned in the Bill of Complaint it is worth about \$1200. and contains about Ten Acres and is situated in Emmittsburg District, Frederick County Maryland.

4th Interrogatory, What are the facts and circumstances which show it would be for the benefit and advantage of the infant John J Mc Melly that the Real Estate mentioned in the Bill should be sold.

Answer, It is not susceptible of advantageous division and if divided the portion falling to the infant would be too small to cultivate to advantage

5th Interrogatory, Are the Lands in this bill mentioned susceptible of division without great loss, and it is for the advantage of all parties that the Lands should be sold.

Answer, The Lands in this Bill mentioned cannot be divided without great loss and it would be to the advantage of all parties for the Land to be sold.

William H Mc Hardman, a witness of lawful age produced on the part of the Complainant being duly sworn and examined to interrogatories filed with the Commissioners and herewith returned deposes and says, that is to say,

1st. Interrogatory, Do you know the parties to this suit

Answer, I know the parties to this suit their names are Abraham Troppell and Isabella A. his wife, and Samuel Haam Josephine E. his wife and John P Melly Guardian Prochein Amis of John J Mc Melly and Jacob Shely Jesse E Mumma and Susan E his wife.

2nd. Interrogatory, Did you know John Shely in his lifetime is he deceased if so when and what children did he leave and what grand children and where do they all reside.

Answer. I know, John Shely in his lifetime he is dead, died about the 19th of May A D 1869, he left children Jacob Shely and Susan E Mumma