

said lands should be sold & the proceeds thereof distributed, for the reasons, that said John P. Derr was entitled to one eighth interest, which descended from his father & which is subject to the dower right of his mother, & for the reasons given in my answer to the 7th. Interrogatory.

Charles W. Derr, a witness of lawful age, produced upon the part of the Complainants, being duly sworn & examined to Interrogatories filed with the Commission by the Complainants and herewith returned, deposes and says, to the

1st. Int. I know all of the parties to this suit & have known them all for some years

2^d. Int. I was He was my father He is dead. He died in Frederick County, Md. in July 1866. He died intestate

3^d. Int. He left a widow named Elizabeth Derr & the following children namely; Mary L. Derr, adult, and residing in Frederick County, Md.; Alice V. Derr, adult, and residing in Frederick County, Md.; John P. Derr, since deceased; Eugene L. Derr, adult, married to Fanny Gorman, & residing in Frederick County Md.; William R. Derr, adult, married to Frances B. Gittinger, & residing in Frederick County, Md.; Charles W. Derr, adult, and residing in Frederick County, Md.; Ezra L. Derr, adult and residing in Frederick County Md.; - A daughter Margaret A. married Edward A. Shriver and died before the said John Derr, deceased, leaving a son Edward D. Shriver, who is an infant under the age of twenty one years and who resides in Frederick County, Md.

4th. Int. I was. He was my brother. He is dead. He died in Frederick County, Maryland, in December 1869

5th. Int. He left a widow named Anne C. Derr, adult, and residing in Baltimore City, Md. but left no children.

6th Int. I look at Exhibits Nos 1. 2. 3 & 4. now here shown me - said lands are fully described in said Exhibits

7th. Int. Said lands cannot be divided amongst the parties entitled, without loss and injury to all the parties concerned; and it would be for the benefit and advantage of all the parties interested that said real estate should be sold and the proceeds thereof distributed amongst the parties entitled, for the reasons that it consists of four different tracts of land, of different values, and because no equal division could be made thereof

8th. Int. I know the lands of which the said John P. Derr died seized and possessed His interest in said lands cannot be divided amongst the parties interested, and it would be for the benefit and advantage of all of the parties interested that said lands should be sold, and the proceeds thereof distributed, for the reasons, that the said John P. Derr was entitled to one eighth interest which descended from his father, and is subject to