

real estate was divided, the parcels would be too small for advantageous cultivation or sale - said real estate consisting of about 75 or 79 acres of land

8th Int: I know nothing further

James C. Suseubaugh, 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 and herewith returned, deposes and says, to the -

1st Int: I know all of the parties to this suit, and have known them all for some years

2^d Int: I did. He is dead. He left a widow named Christie, and now residing in Frederick County, Md, and the following Children, namely; John J. Smith, married to Maria Malgans, and one of the Complainants in this cause; Joseph Smith, married to Maria Jarshk and one of the Complainants in this cause; Margaret, married to Wm. Johnson, of Washington County, Md; Catherine, married to Henry Wolfe; Darcilla, married to Ezra Brown; and Emeline, married to David Jones, all of Frederick County, Md, and residing therein; - David Smith residing in Washington County, Md, and Elizabeth, married to Michael McBrean, and residing in the State of Indiana

3^d Int: Yes, Polly, married to George Burns, who died leaving children as follows, namely; Emanuel and George Burns, and John Warner, a son by a former husband, all now residents and residing out of the State of Maryland.

4th Int: I know the property described in said Exhibits - It is situated in Harris District, Frederick County, Maryland

5th Int: He died intestate

6th Int: Said real estate is not susceptible of advantageous division among the parties entitled, because it consists of from 75 to 80 acres of land of which, if divided, the parcels would be too small for advantageous cultivation or sale.

7th Int: It will be to the advantage of all the parties concerned, that said real estate should be sold and the proceeds distributed among the parties entitled, for the reasons set forth in my answer to the last preceding Interrogatory

8th Int: I know nothing further

Whereupon, there being no other witnesses present to be examined and no further time being required for the production of Evidence, the Commissioner closed the said Commission and herewith returns the same under his hand and seal, on this fourth day of April A.D. 1876.

M. B. Nelson (Seal)
Commissioner

Costs of Commission

Mrs. B. Nelson, Commissioner's fees.

\$ 12.00