

a farm of about One hundred and thirty or forty acres, improved, and a Mill Property, and about thirty eight acres, and a Wood Lot of about twenty five acres. It is all together worth Twelve Thousand Dollars. I look at Papers now shown me marked Exhibits Nos. 1, 2 and 3. They describe the said real estate, except so much and such part as was sold and conveyed by said J. C. Nicodemus in Exhibit No. 5.

7th Int: State whether or not the real estate of which said J. C. Nicodemus died seized and possessed, will admit of division among all of said heirs at law without injury or loss and whether or not it would be to the interest and advantage of said heirs at law, infants as well as adults, for said real estate to be sold and the proceeds distributed among them. State all you know with reference thereto, and your reasons for your Opinion fully.

Ans: I don't know that it would be to the disadvantage of the heirs to divide the said real estate. It would be to the interest and advantage of all the heirs, infants as well as adults to sell the said real estate and divide the proceeds. It could not be divided, it is now in small tracts, and to divide it further would injure it, and to keep the property and rent it, it would be likely to go down and get out of repair.

John H. Nicodemus, a witness of lawful age, produced on 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:

1st Int: What is your name, age and place of residence?

Ans: My name is John H. Nicodemus, and reside near Oak Orchard, Frederick County, State of Maryland.

2nd Int: Do you know the parties to this suit, and if yes, how long have you known them and each of them?

Ans: I am one of the parties and have known them all my life.

3rd Int: Did you know Isaac C. Nicodemus, late of Frederick County, Is he living or dead, and if dead, when and where did he die, and did he die testate or intestate?

Ans: I did. He is dead. He died at his residence in Frederick County, on the twenty eighth day of September A. D. 1877. He died intestate.

4th Int: Did said Isaac C. Nicodemus, leave a widow now living, and if yes, what is her name, age, and state of health?

Ans: He did leave a widow. Her name is Susan Nicodemus. She is sixty years of age and her general health is pretty good.

5th Int: Did said Isaac C. Nicodemus leave any children or other heirs at law, and if yes, give their names, ages, and places of residence, and if any of them are married give the names of their husbands and wives?

Ans: He left children as follows: a son William H. Nicodemus, married, and the name of whose wife, is A. Eugenia Nicodemus.