

describe the Mountain Lots, and "Exhibits Nos. 5, 6, & 7" describe the home farm, of which said Peter Craven died seized and possessed. Said lands are situated in Frederick District, Frederick County, Md., about six miles north of Frederick City and they are the same lands of which the said Peter Craven died seized and possessed and on which he lived and died.

5th. Interrogatory: I don't know whether, or not, it was paid, except from Simon Peter Craven, who said he had paid it, but had taken no receipt.

6th. Interrogatory: They have not been paid. The heirs claim that they were not paid, and there are no receipts to show that they were. The family also admit that they were not paid.

7th. Interrogatory: I was. He is dead. He died in 1863, in Frederick County, Maryland, before his father Peter Craven.

8th. Interrogatory: Yes. He left a daughter Hester (now deceased), who was the wife of William Shawen, and who left the following children, namely: Elizabeth, wife of — James, adults and residing out of the State of Maryland; Lewis H. Shawen, adults and Charles, Viola S. David C. and Samuel, Shawen, infants and residing in Frederick County, Maryland, and Harriet Shawen, adults and residing in Frederick County, Maryland; George Craven, adult, and residing in Frederick County, Md; Charles Craven, adult and residing out of the State of Maryland; Thomas Craven, adult, residing out of the State of Maryland; Martin Craven, adult and residing out of the State of Maryland; Phoebe, wife of Richard R. Harper, and residing in Frederick County, Maryland, and Joshua Craven, adult, and residing out of the State of Maryland.

9th. Interrogatory: Yes. George, Charles, Martin and Thomas Craven and Joshua Craven and Phoebe Harper have sold and assigned them in writing, as appears by "Exhibits J. E. R. M. Nos. 1, 2, 3, 4, & 5," filed in this case.

10th. Interrogatory: It cannot be divided without loss and injury to the parties concerned. These legacies must be paid out of it, which will require a sale, and if divided the portions would be too small to admit of advantageous cultivation, or sale.

11th. Interrogatory: It would be for the benefit and advantage of all the parties interested, infants as well as adults, that said lands should be sold and the proceeds thereof be distributed among the parties entitled, for the reasons stated in answer to the foregoing Interrogatory.

Frederick A. Stull, 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—

12th. Interrogatory: I know all of the parties, and have known them all