

situated on the West side of the Frederick and Emmittsburg Turnpike Road, one half of a mile South of Lewistown Frederick County Maryland. Its worth \$38.50 per acre, and two Wood Lots, of about 13 acres each, one about two miles and a half West of said Lewistown, and the other about 3 miles West of said Lewistown. The former is worth \$5 per acre, and the latter, about \$12 per acre. The Complainant owned said Lands, and had them in his possession for about 30 years. I always understood that the property was left to George H. Freshour & Henry A. Freshour by their father's Will, and that they made a division between them, and I know that they occupied separately their respective portions and have thus occupied said portions for thirty (30) years.

9th Interrogatory. He left a widow named Susan B. Wichter, surviving her, who is above 56 years of age residing in Frederick County Maryland.

10th Interrogatory. He left children, as follows, namely: Noah Wichter adult and residing in the State of Pennsylvania. Loretta Wichter adult and residing in Frederick County Md. Sophia Wichter adult and residing in Frederick County Md. Charles Wichter adult and residing in Frederick County Md. and Amelia Ann married to George H. Kruse both adults and residing in Frederick County Maryland.

11th Interrogatory. I know nothing further except that Complainant is a widower, and has no wife living.

D. H. Staley, a witness of lawful age produced upon the part of the Complainant being duly sworn and examined to Interrogatories filed with the Commission by the Complainant & herewith returned deposes & says to the,

1st Interrogatory: I have known all the parties to this suit for some years.

2nd Interrogatory: I did see him, He died in Frederick County Md. during last Spring.

3rd Interrogatory: He died intestate.

4th Interrogatory: He died as to this deponent.

5th Interrogatory: He did.

6th Interrogatory: He was seized and possessed of said property before he sold the same to John Wichter, and moved away from it, when he sold it to said Wichter, 28 or 30 acres of that sold to Wichter, Complainant purchased from the Estate of George Schloper deceased and the balance he got from his father's Estate by Will "Exhibit No 5."

7th Interrogatory: He had not fully paid for said Real Estate, and there is still due thereon the sum of \$2336.68 with interest from the 25th day of April 1877, as appears by "Exhibit No. 3" which was made by me in the presence of said John Wichter and Henry A. Freshour Complainant in this case at their request and assumed by both to be correct.

8th Interrogatory: It consists of a tract of Land containing 75 acres more or less, situated on the West side of the Frederick & Emmittsburg Turnpike Road, one half mile South of Lewistown in Frederick County Maryland. Its worth about \$38.50 per acre, and two Wood Lots of about 13 acres each, one about 2 1/2 miles West of said Lewistown