

worth \$5 per acre, and the other about 3 miles West of said Lexington worth about \$12 per acre, Complainant owned the lands and had them in his possession for 30 years. It was always understood that the property was left to George W & Henry A Freshour by their father's Will, and that they had made a division of it between themselves, and I know they separately occupied their respective portions, and have thus occupied said portions for a long number of years.

9th Interrogatory: He left a widow, named Susan E. Wichter now aged over 56 years

10th Interrogatory: He left the following children namely: Lovetta Wichter adult residing in Frederick County Md. Noah Wichter adult and residing in the State of Pennsylvania, Sophia Wichter adult and residing in Frederick County Md. Charles Wichter adult and residing in Frederick County Md. and Amelia Ann married to George W. Wise both adults and residing in Frederick County Maryland.

11th Interrogatory The Complainant is a widower He has no wife living.

George W. Miller 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 and herewith returned deposed says, to the

1st, 2nd, 3rd Interrogatories. Waived

4th Interrogatory. I look at "Exhibit No. 2" now here shown me, The signature "John Wichter" thereto signed is in the proper handwriting of the said John Wichter deceased, I saw him sign said "Exhibit No. 2"

5th, 6th, 7th, 8th, 9th, 10th & 11th Interrogatories: Waived.

Special Interrogatory:

I look at "Exhibit No. 4" now here shown me, It contains a description of the property sold by the Complainant to John Wichter described in "Exhibit No. 2" which was prepared and written by me, Complainant had "Exhibit No. 4" prepared during the lifetime of said John Wichter at the instance of the said John Wichter, but Wichter failing to pay the money before his death, the Deed "Exhibit No. 2" was never delivered, It was written by William H. Todd who made a survey of the property about the same time, William H. Todd is a practical Surveyor.

Whereupon there being no other witnesses present he examined and no further time being required for the production of evidence the Commission closed the said Commission and herewith returns the same under his hand and seal on this 12th day of February A D 1879

Filed Feby. 12. 1879.

W. B. Nelson
Commissioner