

No. 4430 Equity

City, Maryland, open the said Commission & issue subpoenas for witnesses to testify before me, on the part of the Complainants in said case, on the 14th day of January A.D. 1879, at which time and at the place aforesaid, I then & there proceeded to take the following testimony, to wit:

The Complainants filed with the Commissioner as Evidence Exhibits Nos. "1", "2", "3", "4", "5", "6", "7", "8", "9", & "10", which are herewith returned by the said Commissioner

John P. Cramor, a witness of lawful age, produced upon the part of the Complainants, & herewith returned, deposes and says, to the

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

2d Interrogatory: I was. He is dead. He died near Woodsboro, Frederick County, Maryland, in the winter of 1877 & 1878.

3d Interrogatory: I look at Exhibits Nos. 2, 3, 4, 5, 6, 8, 9, & 10" now here shown me - said Exhibits, correctly and fully describe the real estate of which the said Nicholas Fogle died seized and possessed. All of said real estate is devised by the last Will of said Nicholas Fogle, deceased, & are the same lands.

4th Interrogatory: I was He is dead. He died near Woodsboro, Frederick County, Maryland, during the month of February, 1878.

5th Interrogatory. He left a widow named Mary E. Fogle, aged about 35 years, in good health & residing in Frederick County, Maryland, and the following children, namely; Emily Jane, Charles Henry, Anna Bell, and Margaret E. Fogle, all infants under the age of twenty-one years and all residing in Frederick County, Maryland

6th Interrogatory: They cannot be divided among the parties entitled without loss and injury, and it will be for the benefit and advantage of all the parties interested, that said lands should be sold and the proceeds thereof distributed amongst the parties entitled, for the reason that if divided the parcels would be too small for advantageous cultivation or sale.

7th Interrogatory: She is not married.

George W. Shaw, a witness of lawful age, produced upon the part of the Complainant, being duly sworn & examined to Interrogatories filed with the Commissioner, by the Complainant & herewith returned, deposes and says, to the

1st Interrogatory: I am acquainted with all the parties to this suit & have known them all for some years.

2d Interrogatory: I was. He is dead. He died near Woodsboro, Frederick County, Maryland last winter

3d Interrogatory: I look at Exhibits Nos. 2, 3, 4, 5, 6, 8, 9 & 10," now here shown me. Said Exhibits fully and correctly describe the Real Estate of which the said Nicholas Fogle died seized & possessed. They are the same lands as are devised by the last Will of the said Nicholas Fogle, dec'd.

4th Interrogatory: I was, he is dead. He died near Woodsboro, Frederick

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