

No 4636 Equity

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

1st Int. - I know all the parties, and have known them for many years.

2d Int. - I did. He is dead. He died in Frederick County, Maryland, on the 5th March, 1880.

3d Int. - I do. I look at "Exhibits Nos 1, 2 & 3," now here shown me. Said Exhibits correctly describe the Real estate of which the said Daniel Kolie died seized and possessed.

4th Int. - He died, named Sarah J. R. Kolie, aged about 48 years and now residing in Middleton, District, Frederick County, Maryland.

5th Int. - Yes sir. He left the following children, namely: Mary, Fanny, Martin, Charles, David, Franklin and Howard Kolie, all infants under twenty-one years of age, except Mary Kolie, who is an adult, and they all now reside in Frederick County, Maryland.

Testimony

6th Int. - I look at "Exhibit A," now here shown me: The handwriting of the body of said Exhibit is John M. Snook's, and the signature attached thereto is in the handwriting of Daniel Kolie. I have often seen Daniel Kolie write, and am well acquainted with his handwriting.

7th Int. - I look at "Exhibit B," now here shown me. They were and have not been settled for Snook in John M. Snook's mill, and am familiar with the business & know that the articles therein charged were delivered, and at the prices therein charged, and that the amount therein charged is still due and unpaid.

8th Int. - Yes, he died. It is not sufficient to pay his debts.

9th Int. - Said Real estate is not susceptible of advantageous division among the parties interested, and cannot be divided without loss and injury. It consists of a house and lot containing about seven acres of arable land, and, if divided the parcels would be too small for advantageous cultivation or sale.

10th Int. - It would be for the benefit and advantage of all the parties interested, adults as well as infants, that said Real estate should be sold, and the proceeds distributed among the parties entitled, for the reasons assigned in my answer to the foregoing Interrogatory.

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

1st Int. - I know the parties, and have known them for some years.

2d Int. - I was. He is dead. He died on the 5th of March, 1880 in Frederick County, Ind.

3d Int. - He was. I look at "Exhibits Nos 1, 2 & 3," now here shown me. Said "Exhibits" correctly describe the real estate of which the said Daniel Kolie died seized and possessed.

4th Int. - He left a widow named Sarah J. R. Kolie, aged about 48 years & residing in Middleton, Frederick County, Maryland.

5th Int. - He left children, as follows, namely, Mary, Fanny, Martin, Charles, David, Franklin and Howard Kolie, all infants under twenty-one years, except Mary Kolie, who is an adult, and all residing in Frederick County, Maryland.

6th Int. - I look at "Exhibit A," now here shown me. The body of said Exhibit is in John M. Snook's handwriting, and the signature attached thereto is in the handwriting of said Daniel Kolie. I have frequently seen said Daniel Kolie write and am well acquainted with his handwriting.

Testimony