

No. 4636 Equity

7th Int: - Waived, as to this deponent.

8th Int: - Yes, he did, but it was not sufficient to pay his debts.

9th Int: - Said Real estate is not susceptible of advantageous division amongst the parties interested, and cannot be divided, without loss and injury to the parties concerned. The said real estate consists of a house, and lot of about seven acres of arable land situated in Middletown District, Frederick County, Maryland; and, if divided among the heirs the parcels will be too small for advantageous cultivation or sale.

10th Int: - It would be for the benefit, and advantage of all the parties interested, infants as well as adults, that said real estate should be sold and the proceeds thereof distributed among the parties entitled, for the reasons given in my answer to the preceding interrogatory.

William H. Bowles, a witness of lawful age, produced in person the part of the Complainant, being duly sworn and examined to Interrogatories filed with the Commissioner by the Complainant, and herewith returned, deposed and says to the

1st Int. I am and have known them all for some years.

2d Int. - Yes sir. He is dead. He died in Frederick County, Maryland on the 5th March, 1850.

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

4th Int: - He left and was named Sarah J. R. Kolbe, aged 48 years, and now residing in Middletown District, Frederick County, Maryland.

5th Int: - He left the following children, to wit: Mary, Fanny, Martin, Charles, David, Franklin and Howard Kolbe, all infants under the age of twenty one year, except Mary, who is an adult, and they all reside in Frederick County Maryland.

6th Int: Waived, as to this deponent.

7th Int: Waived, as to this deponent.

8th Int: Yes sir, he did. It is not sufficient to pay all his debts.

9th Int: Said Real estate is not susceptible of advantageous division amongst the parties interested, without loss and injury. It consists of a house on a lot of about seven acres of arable land, in Middletown District, Frederick County, Md., and if divided among all the heirs the parcels or shares, would be too small to till or cultivate with advantage.

10th Int: It would be for the benefit and advantage of all the parties interested, that said real estate should be sold, and the proceeds distributed amongst the parties entitled, for the same reasons as given in my answer to the last Interrogatory.

Whereupon, there being no other witnesses present to be examined and no further time being required for the production of evidences, the Commissioner closed the said Commission and herewith returned the same under his hand and seal, on this 21st day of January A. D. 1881

William B. Nelson Commissioner

Costs of Commission - Complainant's Costs

William B. Nelson	Comms Fees	\$12.00
J. B. Hasterick, Sheriff	do	1.30
Josiah C. Smith	attor & mileage	1.75
Henric Gittle	do do	1.85
Wm. H. Bowles	do do	1.75

Filed June 4, 1880

William B. Nelson Commissioner

Testimony