

No. 4675 Equity

the heirs, & if not, would or would not it be to the interest and advantage of all the parties interested, infants, as well as adults, that said Real estate be sold, and the proceeds divided among said heirs? What is it worth?

6th. — Do you know any thing further to the advantage of the parties interested?

Milton S. Warner
Edw. S. Eichelberger
Sole for Compt's

Filed May 17, 1881

At the execution of the aforesaid Commission, issued out of the Circuit Court for Frederick's County, sitting as a Court of Equity and to me directed, and empowering me to examine Evidence in the Cause herein depending, between Ruth Johnson, Rebecca Horsey, and Grafton Horsey, as Complainants, and Eliza Davis — Lewis her husband and others, as Defendants, I, William P. Shelton, Commissioner therein named, did on the 16th day of May, A. D. 1881, at my office on Frederick's City, Maryland, then and there proceed, in the presence of the Solicitor for the Complainant, to take the following testimony:

The Complainants filed with the Commissioner as Evidence, "Exhibit No. 1," which is herewith returned by said Commissioner.

Milton Burke, a witness of lawful age, produced upon the part of the Complainants being duly sworn and examined to Interrogatories filed with the Commissioner by the Complainants and herewith returned, deposes and says, to the

1st Int: — My name is Milton Burke, aged 50 years, & I reside in Frederick's County, Md.

2d Int: — I did. She is dead. She died in New Market District, Frederick's County, Md., about a year ago last fall.

3d Int: — She did. I look at "Exhibit No. 1," now here shown me: said Exhibit correctly describes the real estate of which the said Mary Johnson died seized and possessed.

4th Int: — She left no husband, but left children and grand children as follows. Namely, a daughter Eliza, wife of John S. Davis, adults a son Isaac Pinn, whose wife's name is Henerow, adults: — Ruth Johnson, a daughter, unmarried and adult: — a daughter Rebecca Horsey, wife of Grafton Horsey, adults — And Grand children Mary Pinn and George Pinn, children of Alexander Pinn, deceased, who died before the decease of his mother Mary Johnson, leaving Elizabeth A. Pinn surviving him as his widow. The said Mary and George Pinn are infants under twenty-one years of age.

5th Int: — It is not susceptible of advantageous division among the parties interested and cannot be divided without loss and injury, and it will be for the benefit of all parties concerned, infants as well as adults.

Answers
to
Interrogatories