

No. 4770 Equity.

Commissioner by the Complainants, and herewith returned deposes & says to the

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

2d Int: I was. He is dead. He died in Frederick City, Maryland during last fall.

3d Int: Waived as to this deponent.

4th Int: Waived as to this deponent.

5th Int: Waived as to this deponent.

6th Int: I do. Her mental condition is verging on imbecility. Her health is not good. She is subject to fits of Epilepsy, which have greatly impaired her mind and health. I do not think she is of sound mind and capable of managing her personal estate.

Testimony

William H. Burger, 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: I am acquainted with all the parties to this Cause, and have known them all for many years.

2d Int: Yes, I was. He is dead. He died in Frederick City, Maryland in November, 1881.

3d Int: He left a widow named Catharine Burger, now residing in Frederick City, Maryland, and the following children, namely; John C. Lippe, whose wife's name is Eleanor, adults, and residing in Frederick City, Maryland; Sophia B., wife of Cornelius Meam, adults and residing in Frederick County, Maryland; George Lewis Lippe, whose wife's name is Clara, adults, and residing in Frederick City, Maryland; Thomas Lippe, whose wife's name is Martha, adults, and residing in Frederick City, Maryland; and Pitschy M. Lippe and Annie P. Lippe unmarried adults, and residing in Frederick City, Maryland; and Catharine E. Lippe, adult, unmarried, and residing in Frederick City, Maryland.

4th Int: I am. I look at "Exhibits Nos. 1, 2, 3, 4, 5, 6 & 7," now here shown me: said lands are fully described in said Exhibits.

5th Int: Said Real Estate cannot be divided equally among the parties interested without loss and injury; and it will be for the benefit and advantage of all the parties interested that the same should be sold and the proceeds thereof distributed amongst the parties entitled according to their respective interests.