

No 4955 Equity

estate and if you describe the same, give its location and value and look at the paper now shown you marked Exhibit No. 1. and state whether said David Wilhite died seized & possessed of the real estate therein described or any part of the same, and also look at Exhibits Nos 2 & 3 and state whether they describe the part of said real estate of which said David Wilhite did not die seized and possessed, State fully all you know with reference thereto.

4th Did said David Wilhite leave a widow and if you is she now living or dead & if dead when & where did she die?

5. Did said David Wilhite die leaving any children or heirs at law, and if you give their names, ages and places of residence and if any were married give the names & places of residence of their husbands and wives?

6th Have any of said David Wilhites children died since his death, leaving children and if you, give their names and state whether they died testate or intestate and give the names, ages and places of residence of their widows or surviving husbands, if they left any and also the names ages and places of residence of their children. State ^{fully} all you know with reference thereto

7th Will said real estate admit of division among said parties in kind according to their respective interests, and would it or not be to the interest and advantage of all of said parties in interest, infants as well as adults, for said real estate to be sold and the proceeds divided among them and why?

8th Do you know or can you state any other matter or thing which may be of benefit or advantage to the parties to this cause or either of them, or that may be material to the subject of this your examination or the matters in question between the parties. If you, state the same fully and at large in your answer

Wm. G. Loner
Sol for Plffs.

Joseph H. Eyles et al

vs

No 4955 Equity
In the Circuit Court
for Frederick County
Sitting as a
Court of Equity

Alfred Wilhite & wife et al

In pursuance of the annexed order of the Court and notice given me by the Solicitor for the Plaintiffs in the above entitled cause, J. Clayton O'Neely one of the regular Examiners of said Court having fixed Saturday the ninth day of February A.D. 1884 at my office in Frederick City as the time and place for taking the testimony in this cause and having given due notice thereof to the parties concerned, did then and there proceed to take the following testimony to wit:

The Plaintiffs filed with the examiner as evidence Exhibits Nos 1, 2 and 3 which are herewith returned by said Examiner

Joseph H. Eyles a witness of lawful age produced on the part of the Plaintiffs being duly sworn and examined to Interrogatories filed with the Examiner and herewith returned deposes and says

To the 1st Inter

1st Ans. I knew David Wilhite late of Frederick County, He is dead. He died about the year 1870 in Frederick County

To the 2nd Inter

2nd Ans. He died intestate

To the 3rd Inter

3rd Ans. He did die seized and possessed of real estate situated in Mechanics