

No 5315 Equity.

3. The following children of Jacob Nusbamm, a deceased brother who died some years before the said Daniel: - (1) Isaac Nusbamm whose wife's name is Margaret L. both of whom are adults and residents of Frederick County, (2) Elizabeth Ann Nail, who has since died leaving her husband Jacob L. Nail, and the following three children: - Fanny Jane Nail, John E. Nail, and Daisy A. Nail, all of whom are now living in Carroll County and all are adults except said John E. and Daisy A. Nail, who are infants. (3) Susannah Bond who is the wife of John T. Bond both of whom are adults and residents of Carroll County. (4) Fanny M. Baker the wife of William H. Baker both of whom are adults and residents of Frederick County. (5) Mary E. Franklin, wife of David W. Franklin, both of whom are adults and residents of Carroll County. (6) Laura A. Barnes, wife of Francis T. Barnes both of whom are adults and residents of Frederick County.

Testimony -

4. A Sister Rachel Keifer who died before said Daniel Nusbamm leaving the following children viz: - (1) Mary Catherine Devilbiss the wife of William Devilbiss, both of whom are adults and residents of Frederick County, (2) Samuel Keifer an adult and resident of Frederick County. (3) Ludwig Keifer an adult and resident of Frederick County. (4) Philip W. Keifer an adult and resident of Frederick County.

9. Int. Did said Philip Nusbamm, devised and possessed of any real estate other than the half interest already described? If yes, describe the same and give its quantity and value and look at Exhibit No. 7, now shown you, and state if that describes the same?

Ans. He did. He died seized and possessed of about 100 acres of land in Frederick County worth about \$1800. = I look at Exhibit No. 7, and that does describe it.

10. Int. Did said Philip Nusbamm leave any heirs at law? If yes, give their names, ages, and residences?

Ans. He did. He left the same persons as his heirs at law already given as the heirs of Daniel Nusbamm, except Elizabeth A. Nail, who died before the said Philip Nusbamm.

11. Int. Will said real estate, or any parcel of the same, admit of division or partition among the parties interested therein without loss and injury thereto, and would it or not be to the interest and advantage of all the parties, infants as well as adults, to have the same sold and the proceeds divided, and give your reasons for your answer?

Ans. None of it is susceptible of division among the parties without loss or injury. It would be to the interest and advantage of all the parties interested to have the same sold and the proceeds divided for the reason that there is no one especially to take care of it, and it would soon depreciate in value if there is no one to take care of it. It is not so located as to be capable of advantageous division and the heirs are too numerous.

To the General Int. by the Examiners

Ans. I do not.

Peter Lugensel.

Whereupon there being no other depositions to be examined, and no further time being required for the production of evidence, the said Examiners, hereby certify that the foregoing are the Original Depositions in this cause, as the same

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