

No. 5359 Equity.

whether, over or under I do not at present know.

4. Harriette E. Englebucht an Infant under 21 Years of Age
5. Jacob L. Englebucht an infant under 21 Years of age, All
of these parties live in Frederick County, Md.

6th Q^{nt}. — Were you acquainted with the lands whereof the said Philip M. Englebucht and also the said Selina V. Englebucht died seized and possessed? If yes, state of what lands, their situation, and whether or not the Exhibits now shown you marked Exhibits Nos. 1, 2, 3, & 5, describe said lands.
Ans. I know the lands or properties. Philip M. Englebucht had a house and Lot on South Market Street on the short side; but from whom he got it I never heard; and a house and Lot on the North side of West Patrick Street which he inherited from his father Jacob Englebucht; Selina V. Englebucht owned a house and Lot on the East side of South Market Street which she got by and from J. P. L. Horn, and others. I look at said Exhibits and believe they describe the properties mentioned. I am certain as to Exhibit No. 5. because I am one of the parties who conveyed the property therein described.

7th Q^{nt}. You say you are acquainted with said lands: how, or can not the said lands be equally divided among the parties in interest without loss or injury? State fully the reasons for the opinion you entertain on this subject.

Ans. The said Real Estate cannot be equally divided among the parties in interest for the reason that there are five parties and only three properties of unequal values.

To the General Q^{nt}. by the Exam^r.

Ans. I know of nothing further.
W. B. Horn.

John C. Hardt, a witness of lawful age produced on the part of the Plaintiff being duly sworn and examined to interrogatories depone and says:—

1st Q^{nt}. State your name, age, and present place of residence?

Ans. John C. Hardt, 60 Years, Frederick Md.

2nd Q^{nt}. Are you acquainted with the parties to this suit? and if you state whom of them, and how long you have known them, and each of them?

Ans. I know all of them and have known them from childhood.

3rd Q^{nt}. Were you acquainted with a certain Philip M. Englebucht formerly a resident of Frederick County? Is he dead or alive? if dead when and where did he die?

Ans. I know him well, he is dead, he died in Frederick City, Frederick County about the year 1848—

4th Q^{nt}. Were you acquainted with a certain Selina V. Englebucht, the Widow of said Philip M. Englebucht? Is she dead or alive? If dead when and where did she die?

Ans. I know her also, she is dead. She died in this City and County about three or four years ago—

5th Q^{nt}. Did the said Philip V. Englebucht, at their death leave any children surviving them? If yes state their names, their ages at this time and their present place of residence—