

No. 5216 Equity.

2<sup>nd</sup> Int Did you know Isaac C Whalen described in the proceedings in this cause; if yes is he dead or alive; if dead when did he die?

3<sup>rd</sup> Ans I know Isaac C Whalen, He is dead

3<sup>rd</sup> Int State if the said Isaac C Whalen left a Will, or if he died intestate

3<sup>rd</sup> Ans I don't know

4<sup>th</sup> Int Look at Exhibit A, B and C, filed in this, and state if you know the real estate described therein, or any part of the same. If yes, state if the one undivided half of said real estate is susceptible of a division among the parties interested without loss or injury to them - State your reasons for such opinion -

4<sup>th</sup> Ans I look at Exhibit A and B, and know both the property therein described I don't see how it is possible to divide the undivided one-half interest among the heirs without great loss and injury - It is not susceptible of division -

(Int & Ans Excepted to by Defendants Counsel, Mr. Shafer)

5<sup>th</sup> Int State if said Isaac C Whalen left a Wife, or Children, or any heirs at law, State their names, and relationship to said Isaac C. Whalen?

5<sup>th</sup> Ans. He left no wife, or children. He left the following heirs at law; viz Beale H. Whalen, a brother; Ellen Whalen, a Sister, Sallie Whalen, a sister, Rachel Whalen, a sister, Mary Whalen, Elizabeth Whalen and Hannah Whalen, sisters; and Thomas C Whalen a brother. His deceased brother John W. left two children named Mary and Loney Whalen.

6<sup>th</sup> Int Which are adults and which infants under twenty years of age?

6<sup>th</sup> Ans They are adults except the two children the two children of John W. Whalen who are infants under 21 years of age.

To the Gen Int. by the Examiner

Ans I do not see

J. S. Clingan.

William H. Wags, a Witness of lawful age produced on the part of the Plaintiff being duly sworn and examined to Interrogatories, deposes and says, as follows: -

1<sup>st</sup> Int State your name, age, occupation, and residence?

Ans. William H. Wags, Age 72 Years, occupation, Merchant, residence, Portland, Me.

2<sup>nd</sup> Int Did you know Isaac C. Whalen, described in the proceedings in this cause? If yes is he dead, or, alive; if dead when did he die?

2<sup>nd</sup> Ans. I know Isaac C. Whalen He is dead. He died, some time ago.

4<sup>th</sup> Int. Look at Exhibit, A, B and C, filed in this cause, and state and state if you know, the real Estate described therein, or any part of the same. If yes, state if the one undivided half of said real estate is susceptible of a division among the parties interested, without loss or injury to them State your reasons for your opinion?

4<sup>th</sup> Ans. I look at Exhibits A and B and know the properties therein described. The undivided one half of the property, described in Exhibit B, can not be divided among the parties without loss or injury because it is too small in area. I am not sufficiently well acquainted with the property described in Exhibit A to speak of that. (Excepted to, as before)