No. 3906 Equity.

I look at Exhibits A.B.C.D.E.F & G now shown me which comprise the several tracts of land conveyed to him during his lifetime. He died seized and possessed of the land therein described excepting the amounts described in Exhibits 1 to 15 inclusive now shown me, which was conveyed away by him in his lifetime. And a lot of about 7 acres which was sold by him in his lifetime to Dennis Denny but not conveyed, described in Exhibits W.M.G. No 1, and a lot of about 2 acres described in Exhibit W.M.G. No 2 which he had agreed to sell to Daniel Black.

The said Thomas W Harn left the following Sisters as his heirs at law viz:-

Susan C Harn, unmarried, who resides in Frederick County,
Kate H. Duvall, widow, who resides in Frederick County.
Ellen D Harn, unmarried, who lives in the State of Nebraska,
Margaret J Grove, widow, who lives in West Virginia
Sarah H. Williams, wife of Alvin D Williams who lives in Nebraska,
Corrilla C Shearer wife of Daniel D. Shearer who lives in Allegheny County. Md

Also two nephews the sons of George W Harn a deceased brother of said Thomas W Harn decd.

Said real Estate is not susceptible of partition among said heirs without loss and injury. I also believe it would be impossible for said parties to agree upon a partition or sale of said property among themselves and that it would be to the interest, benefit and advantage of all to have the same sold and the proceeds divided among them.

To the Ten. Dist by the Exams.

Ans. I do Not.

Peter Engenbeel

Ellen D. Harn, a witness of lawful age produced on the part of the Plaintiffs having duly affirmed and being examined viva Voce deposes and says as follows:-

My name is Ellen D. Harn, my age 63 years,
I reside in Nebraska; but am temporarily in Maryland, I know all the parties to this suit and have known them a number of years, I knew Thomas W Harn late of Frederick County, Md decd. he was my brother. He is dead, He died in Frederick County at his residence in September 1891.

He was never married and left no will, I am the administratrix of his personal estate.

The said Thomas W Harn died seized and possessed of real estate in Frederick County, If contains of 300 acres of land or upwards, I suppose it is worth $15= or $20.= per acre, I look at Exhibits A.B.C.D.E.F.G. now shown me and know the land therein described. That in the land of which he died seized and possessed excepting therefrom what he sold and conveyed to various persons in his lifetime and which parcels I believe to be correctly described in Exhibits Nos 1 to 15