

No. 6051 Equity.

having met and assigned the 21st day of January A.D. 1893. at the office of Benj. H. Reich Esq in Frederick City, Maryland, as the time and place for taking the testimony in this cause and having given due notice thereof to the parties concerned, did at the appointed time and place proceed to take the following testimony to wit:-

The Plaintiff, filed with the Examiner as evidence Exhibits Nos. 1, 2, 3 & 4 which are herewith returned by the said Examiner
 Henry J. D. Hagan a witness of lawful age produced on the part of the Plaintiff having been duly affirmed and being examined Viva Voce deposes and says as follows:-

My name is Henry J. D. Hagan; my age 32 years; I reside in Frederick City and know all the parties to this suit and am the next friend of the Plaintiff in this suit.

I know Richard P. Hagan, I am his brother. He is dead, he died on July 9th 1892. in Frederick County, Maryland, and died intestate. His wife, Mary E. Hagan died about one year and a half before her husband. He left as his heirs at law the following children viz. Mary Hagan; Fannie Lee Hagan; Harry Hagan; Bruce Hagan; Ruth Hagan, and Agnes Hagan all of whom are infants under the age of 21 years.

I know the real estate of which the said Richard P. Hagan died seized and possessed. It is situated in Frederick City Frederick County, Maryland and consists of a dwelling house and lot on North Market street for which he paid \$1000 and a half interest in a property on the South side of West Fourth street consisting of a dwelling house and blacksmith shop for which they paid \$325 in 1883. I look at Exhibits Nos. 1 & 2 and they correctly described said property. I think the properties are worth what was paid for them.

The said real estate can not be divided among the parties without loss and injury thereto because the properties are small town properties and could not be divided into so many portions without loss and injury.

In the Con. Int. by the Examiner
 Ans. Nothing further than that I think it would be better if the properties could be sold at private sale. I think it would be desirable for the property to remain in the family as it would thereby afford the children a home.

Henry J. D. Hagan

Annie H. Hagan a witness of lawful age produced on the part of the Plaintiff being duly affirmed and examined Viva Voce deposes and says as follows:-

My name is Annie H. Hagan I reside in Frederick City, Md. and know all the parties to this cause. I know Richard P. Hagan. He was my brother. He is dead; he died in Frederick County in July 1892. and left no will. He left no widow, but left surviving him

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