

No. 5362. Equity.

of which he died seized and possessed excepting about 6 acres by land described in Exhibit No. 4 and also about 1/2 acre land which he sold to Samuel Kessbaum.

4th Int. Did said Preston S. Devilbiss leave a widow, now living and if yes, what is her name, age and place of residence?

Ans. He left a widow now living whose name is Mollie L. Devilbiss, age is about 27 or 28 years she resides at Mt Pleasant, Frederick County, Maryland.

5th Int. Did said Preston S. Devilbiss leave any children or other heirs at law, if yes give their names, age and place of residence?

Ans. He did leave children surviving him their names are a son Roger B., a son "Bayard", a daughter Susan, and a son Preston S.; all are infants under 3 years of age, and all reside with their mother in Mt Pleasant Dist. Frederick County, Maryland.

6 Int. How did the said Preston S. Devilbiss become seized and possessed of the Real Estate in Exhibit marked 1 and 2?

Ans. He got that by will from his father John N. Devilbiss Exhibit No. 3. A copy of will of John N. Devilbiss which describes said Real Estate is herewith filed as evidence.

7. Should said Real Estate be susceptible of advantageous division among the said children of Preston S. Devilbiss would it be to the interest and advantage of said infants for said Real Estate to be sold, and the proceeds divided, state your opinion fully and your reasons therefor?

Ans. It would not be to the interest and advantage of the children of said Preston S. Devilbiss to have the Real Estate divided, but it would be to their interest to have this one sold, because it would be to their interest and advantage to have the same sold and the proceeds invested in some safe security and the interest therefrom paid to them for their maintenance; they are all of tender years the oldest being but 7 years of age, I am their grand father, and therefore have a grand father's interest in them.

To the Civil Interrogatory propounded by the Examiner.

I know of nothing further.
Geo. Wm. Buckley