

aged about 9 years Alice aged about 7 years & Catharine aged about 3 or 4 years all Infants & all reside in Indiana County at Knoxville

To the Third Inty Deponent answers John D Rooney did not leave a last will & Testament - his personal Estate was not sufficient for the payment of his debts deponent was the admr of John D Rooney none of his debts have been paid since his decease except three including in a Bill of Sale executed by Rooney in his life time

To the fourth Inty Deponent answers That said Rooney was seized in fee in his life time of Real Estate viz a House and lot in the Town of Knoxville Indiana County but a few weeks before his death - He deeded that property to his wife & Rooney told deponent that he did it to avoid payment of a security debt not to defraud any of his own Creditors

To the Fifth Inty Deponent answers that he was acquainted with the pecuniary Circumstances and Condition of John D Rooney in his life time and previous to 6th Decr 1851 That Rooney was not at that time solvent, and that it would have taken more than all his property to have paid his debts

To the Sixth Inty He answers He is acquainted with the handwriting of John D Rooney - has seen him write and that signature John D Rooney to exhibit B 4 Q are each in the proper hand writing of said Rooney, also the endorsements upon the paper marked exhibit D is in the hand writing of said Rooney deponent states that the signature Emory - Edwards to exhibit D is in the hand writing of said Edwards

To seventh Inty Deponent answers That Rooney told deponent in his life time that he had ~~received~~ received Logs & ports from S Blagitt the Complainant in 1851 & at that time deponent saw S Blagitt, team hauling for Rooney & Rooney admitted - to deponent that he owed Blagitt some 60 or 70 dollars, knows nothing further to this Interrogatory.

To the Eighth Inty knows nothing further The Commission was here closed & respect - fully returned Cts \$4 to F J Nelson \$4 to R Nelson & 66 2/3 to each witness R Nelson Jr Com

The following Petition and Order was filed 6 Feb 54

Samuel Blagitt - In the Circuit Court for Indiana County sitting as a Court of Equity
v. Margaret Rooney & others }
Do the Honorable the Judge of the Circuit Court for Indiana County sitting as a Court of Equity The Petition of Samuel Blagitt - the Complainant in the above Cause Respectfully represents that Samuel B Preston one of the defendants therein is a material, competent, and proper witness for him in the above Cause, He therefore prays your Honor to pass an order authorizing and allowing him to examine the said Samuel B Preston as a witness before the Commissioners appointed to take Testimony in this Cause & he will ever pray &c

On reading and considering the above Petition - It is Ordered by the Court this 6th day of February in the year 1854 That the Complainant be and he is hereby authorized to examine Samuel B Preston one of the defendants in this Cause as a witness, before the Commissioners appointed to take Testimony in the Cause subject to all legal exceptions to his Testimony or to his Competency which may be taken at the hearing of said Cause

The following agreement was filed same day
Samuel Blagitt } N^o 2492 Equity In the Circuit Court for Indiana County
v. Samuel B. Preston } sitting as a Court of Equity
Marg^t Rooney & others } The undersigned Samuel B Preston Henry Suter Guardian for the Infants, in the above Cause hereby waived notice of the time of executing the Commission to take testimony in said Cause, And