

Witness the Honorable Madison Nelson, Judge of our said Court, the 20th day of October Anno Domini 1856. Issued the 8th day of November 1856, Edw^d Shriver, Clerk,

Subpoena for Witnesses

Jeremiah Chamberlain and Others vs Benjamin Biggs, Jun^r and Others } N^o. 2675. In the Circuit Court for Frederick County sitting as a Court of Equity } To George Ovelman, You are hereby summoned to appear before me Commissioner acting under a commission issued by the Circuit Court for Frederick County, sitting in equity and empowering me to examine evidence in this cause, on Wednesday the 10th day of December next, at 2 O'clock at my law office in Frederick to testify on behalf of the complainants. Witness my hand & seal this 3rd day of December 1856. G. Eichelberger, Seal Commissioner "Endorsed" Summoned Mathew Rhodenok Sheriff.

Interrogatories

Jeremiah Chamberlain and Others vs Benjamin Biggs, Jun^r and Others. } N^o. 2675 Equity } In the Circuit Court for Frederick County sitting as a Court of Equity. } Interrogatories to be propounded to witnesses to be produced on the part of the Complainants to prove the allegations in their bill &c;

1st Interrogatory. Are you acquainted, or not with the parties to this suit or any of them &c. 2^d Interrogatory. Are you or not acquainted with the real estate specified in said Bill & Exhibits owned by the complainants and defendants as tenants in common, if yes, will it in your opinion admit of a division among all the tenants in common without injury and loss, 3^d Interrogatory. Do you think that it would be for the interest and advantage of the said tenants in common to have said real estate sold as prayed by said bill

Jos. M. Palmer, Sec^r for Compl^t.

Testimony

At the execution of the enclosed commission issued out of the Circuit Court for Frederick County sitting as a Court of Equity and to me directed and empowering me to examine evidences in the cause pending in said Court between Jeremiah Chamberlain & Others as Complainants and Benjamin Biggs, Jun^r and Others as defendants. J. Grayson Eichelberger, the Standing Commissioner, duly qualified, did proceed on the 10th day of December 1856 at my law office in Frederick to take the following deposition, to wit, George Ovelman, a witness of lawful age produced on the part of the Complainants being duly sworn and examined to the interrogatories filed with me by the Solicitor for the Complainants and herewith returned, deposes and says, To the first Interrogatory - I am acquainted with them all except Jeremiah Chamberlain, John Chamberlain, Benjamin B. Proxel, Elizabeth Proxel, John Sellers & Emma R. Sellers - To the 2^d Interrogatory - I am acquainted with the real estate specified in the bill & Exhibits in said case of which Benjamin Biggs died seized, and which is now held & owned by the parties named in said bill as heirs at law & tenants in common or Co. parcellers. It will not admit of a division among all said heirs at law