

- examined on the part of the Complainants.

1st Interrogatory. Do you know the parties to this Suit - If yea, how long have you known them and each of them.

2nd- Ditto - Were you or not acquainted with William Eagle - if yea, is he living or dead if dead, when did he die. - Did he leave any Children or grandchildren - if yea, state their names and if any of them are married, to whom married - State also, which of them are over and which under, twenty one years of age, - did Said William Eagle die testate or intestate.

3rd- Ditto - Do you know the real estate of which Said William Eagle died Seized & possessed - if yea, State whether or not, it is the same described in the Bill and Exhibits Nos: 1 to 7, inclusive - State whether or not Said real estate can be divided among Said Children and heirs at law of William Eagle decd? without injury and loss and also whether or not it will be for the interest and advantage of all Said Children and heirs at law & of all the parties interested therein that Said land should be sold and the proceeds of Sale distributed among them.

G. Eichelberger, Solr for Compts

At the execution of the annexed Commission issued out of the Circuit Court, for Frederick County, and to me directed and empowering me to examine evidences in the cause depending in the said Court, between Basil Delashmutt and others, as Complainants, and George W. Eagle and others, as defendants, I, William B. Nelson, the Commissioner therein named, did on the 30th day of October A.D. 1862, at my Office in Frederick City, Maryland, proceed to take the following depositions, to-wit: - John B. Thomas, a witness of lawful age, produced upon the part of the Complainants, being duly sworn and examined to interrogatories filed with the Commissioner by the Complainant and herewith returned, deposes and says,

To the first Interrogatory, That he knows all the parties to this Suit and has known them all for many years. To the 2nd Interrogatory, That he was acquainted with William Eagle - he is dead - he died during March 1862, leaving the following children and heirs at law, namely, Elizabeth Frances, married to Basil Delashmutt, Margaret Loretta, married to Thomas S. Jones George W. Eagle and Lycurgus Eagle and the children of Ann Amelia Belt deceased, namely, Margaret E. married to John S. Waesche, Maria E. Belt and John Belt, they are all upwards of twenty one years of age, except Maria A. and John Belt, who are minors, under the age of twenty one years - William Eagle died intestate. To the 3rd Interrogatory, That he knows the real estate of which William Eagle died seized - it is the same as described in the proceedings in this cause and in Exhibits 1, 2, 3, 4, 5, 6 & 7, said land is not in his opinion, susceptible of an advantageous division and it would be for the benefit of all persons interested that the same should be sold - that he forms his opinion from the way the land lies and from the character of the improvements upon the same. At the same time Complainant filed with me as evidence Exhibits Nos. 1, 2, 3, 4, 5, 6 & 7, herewith returned, there being no other witnesses to be examined, and no further time being desired for the production of evidences, the Commissioner closed the said Commission and herewith returns the same under his Hand and Seal this 30th day of October A.D. 1862.

W. B. Nelson Commissioner

Basil Delashmutt, wife & others } No 3046 In the Circuit Court for Frederick County
George W. Eagle & others } Sitting in Equity.
H. Hon W. Nelson Judge of the Circuit

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Court's order