

1st. Do you or not know the parties to this suit? If yes, how long have you known them, and where do they reside? ~

2^d. Did you or not know John William Hyder named in the bill of Complaint in this case filed? If yes, is he living or dead? If dead, when did he die? Did he die intestate or not, and did he leave any children? If yes, name them, and did he leave any real estate or not? If yes what and where situate? ~

3^d. Did you or not know Jacob Hyder mentioned in said Bill? If yes, how long? Is he living or dead? If dead, when did he die and where? Did he leave any land? If yes, state what and where situate? ~

4th. State whether said Jacob Hyder left a widow? If yes, state her name, age & how residing?

5th. Did said Jacob Hyder leave any children and heirs at law? If yes, state to whom, whether married or not, if married, to whom? If any dead, state whether they left any children and to whom, and if any are infants and whom? ~

6th. State whether you are acquainted with the land mentioned in said Bill, and of which said Jacob Hyder died seized and possessed? If yes, state whether said land could or not be divided among the parties entitled without loss or injury to them, and whether it would be to their advantage and interest to have said land sold and the proceeds divided among them as entitled. ~

7th. Do you know any thing further bearing on this case? If yes state it. ~

Mr. Klotz, Solr. for Compt.

Dutimony

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 Evidence in the cause depending in the said Court between Anns Hyder and others, as Complainants, and Joseph, Thomas, Mary S. Sarah S. and Florence Reichart as defendants, I William B. Nelson Commissioner therein named, did, on the ninth day of July, Eighteen hundred & sixty four, at my office in Frederick City, Maryland, proceed to take the following Evidence: The Complainants filed with the Commissioner, as Evidence, Exhibits No: 1, 2, 3, 4, 5, 6, 7 & 8, herewith returned. ~ There being no witnesses present to be examined and the Complainants desiring further time for the production of their Evidence, the Commissioner adjourned the said Commission to the 23^d day of July A. D. 1864, at which time and at my office aforesaid, I proceed to take the following depositions, to-wit: Nicholas Fogle, a witness of lawful age, produced on the part of the Complainants, being duly sworn and examined to interrogatories filed with the Commissioner by the Complainants and herewith returned deposes and says: ~ To the 1st. That he has known all the parties to this suit, except Reichart's children, for many years, that they all reside in Frederick and Carroll Counties, in the State of Maryland. To the 2^d. That he did not know John William Hyder he died before deponent was born, that John W. Hyder has been dead fifty five to sixty years - that he can't say whether he died testate or intestate, - that he left the following children, namely, Jacob Hyder, William Hyder John Hyder, Mary Hyder and Catharine Hyder - that he left real estate in Frederick County Maryland, consisting of about from forty to fifty acres of land, the same land where Jacob Hyder died. ~

To the 3^d. That he knows Jacob Hyder for about forty years - that he is dead - that he died in the autumn of 1860 on his farm in Frederick County, Maryland, that he left real estate in Frederick County aforesaid consisting of about one hundred and twenty or thirty acres of land.

To the 4th. That Jacob Hyder left a widow named Sarah about sixty five or seventy years of age, who resides in Frederick County, Maryland. ~

To the 5th. That Jacob Hyder left the following children, namely, Elizabeth married