and having received the depositions of the witnesses, so taken by you into writing, you send the same, with this Commission close under your hand and seal, into the Court as a Court of Equity, with all convenient speed. ~ Witness the Honorable Madison Nelson, Judge of our said Court, the 11th day of February Anno Dominie 1859. ~ Issued the 17 day of May 1859. ~

P G Fitzhugh Clerk ~

Lynch.

Commissioners Oath. ~

You shall according to the best of your skill and knowledge, truly, faithfully and without partiality to any or either of the parties, take the examinations and depositions of all and every witness and witnesses produced and examined by virtue of the Commission hereunto annexed, upon the interrogatories now, or which may hereafter, before the said Commission is closed, be produced to and left with you, by either of said parties. ~ So help you God. ~

Clerks Oath. ~

You shall truly, faithfully and without partiality to any or either of the parties in this cause take, write down, and transcribe the depositions of all and every the witness and witnesses produced and examined by the commissioner named in the Commission hereunto annexed, as far forth as you are directed and employed by the said Commissioner to take, write down, and transcribe the said depositions, or any of them. ~ So help you God

Interrogatories

Charles Gross Et al

vs

Elizabeth Lakin & Geo. W. Crum

No 2841 Equity ~

In the Circuit Court for Frederick County as a Court of Equity

February Term 1859. ~

Interrogatories to be propounded to Wm B. Table a witness produced on the part of the Complainants. ~

1st ~ Do you or not know the parties Complainants and defendants to this case? and are they infants or adults. ~ 2nd ~ Is Geo. Gross dead, if so when did he die? ~ 3rd Do you know the real property of which said Geo Gross died, seized and possessed, if so, is it the property mentioned in the bill and exhibits named in this case. ~ 4th ~ Is the said Elizabeth Lakin a lunatic, and is the said Crum her Trustee. ~ 5th ~ Do you believe that said real is capable of an advantageous division or partition among the aforesaid parties ~ 6th ~ Do you believe it would be to the interest and advantage of all the parties concerned the said Lunatic as well as the other parties that said real property should be sold and the proceeds divided among the parties entitled, if so state your reasons. ~ 7th ~ Did the said Geo Gross leave any nearer relations than the parties named in this bill. ~

Wm A Lynch

Solr for Complainants

Testimony

At the equitation of the annexed Commission issued out of the Circuit Court for Frederick County sitting as a Court of Equity to me directed and empowering me to examine witnesses in a cause pending in said Court between Charles Gross and others as Complainants and Elizabeth Lakin and others as defendants, being No 2841 on the Equity docket of said Court, I Grayson Eichelberger the standing Commissioner duly qualified, did proceed to take the following depositions at my law office in Frederick on Tuesday the 17th day of May 1859, as follows ~

William B Table a witness of lawful age produced on the part of the Complainants being duly sworn and examined to interrogatories filed with me by the Complainants Solicitor & accordingly returned deposes and says. ~

To the first Int ~ I know all the parties, but the wife of John Gross ~ they are all adults. ~ To the Second Int ~ George Gross is dead ~ he died in April 1859. ~ To the 3rd Int ~ I do know the property of which George Gross died possessed ~ it is the same described in the bill and exhibits in this case. ~ To the 4th Int ~ Elizabeth Lakin is a lunatic and Geo W Crum is her Trustee. ~ To the 5th ~ The said land is not susceptible of an advantageous partition among said heirs at law ~ To the 6th ~ It would be to the advantage of all said parties to have said real estate sold ~