table, 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

Thomas Smith and Francena Smith his wife
vs
James Sweeny Et al

No 3245 Equity.
In the Circuit Court for Frederick County in Equity.

Interrogatories to be proposed to witnesses to be produced on the part of the Complainants.

First – Are you or not acquainted with the parties to this suit or either, and which of them? If yes how long have you known them and each of them?

Second – Were you or not acquainted with Alexander Caldwell, Mary Caldwell, John Caldwell and Elizabeth Caldwell the natural brothers and sisters of James Caldwell late of Frederick County decd? If yes are they dead or alive?

Third – Are you or not acquainted with the lands whereof Christina Sweeny died, seized and possessed? If yes, Look at the paper now shown you marked Exhibit No 2 – Is or is not the said lands therein described the lands whereof the said Christina decd as aforesaid seized &c? If yes state fully all your knowledge herein?

Fourth – Were you or not acquainted with one Christina Sweeny formerly a resident of Frederick County If yes is she dead or alive? If dead when and where did she die.

Fifth – Was or was not the said Christina Sweeny married at the time of her death? If yes, who is her husband and where does he live.

Sixth – Did or did not the said Christina Sweeny leave Children? If yes, state how many, their names, ages, and if married the names of their husbands and their present places of residence

Seventh – Were you or not acquainted with one Columbia Sweeny a daughter of said Christina Sweeny? If yes, Is she dead or alive? If dead when and where did she die and did she or not die intestate unmarried and without issue, If yes state fully all your knowledge herein. – Can or cannot the said lands described in Exhibit No 2 be divided among the heirs at law of Christina Sweeny, without loss or injury to all the parties interested If no state any circumstances within your knowledge which may lead you to the opinion which you entertain on this subject.

Ninth – State any matters or things within your knowledge that may be of interest or advantage to the Complainants in this cause, as if you had been particularly interrogated thereto.

Wm L. Chaney C. Rep
Solr for Complainants

Testimony

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 witnesses in the cause therein depending, between Thomas Smith and wife, as Complainants and James Sweeny and others, as defendants, I William B Nelson Commissioner therein named, did, on the ninth day of January Eighteen hundred and sixty six, at my office in Frederick City Md, proceed to take the following testimony to wit – The Complainants filed with the Commissioner as evidence Exhibits No. 1 2 and 3 which are filed and herewith returned – And there being no witnesses present to be examined and the Complainants requiring further time for the production of their evidences the said Commission was adjourned to the 15th day of January Eighteen hundred and sixty six, at which time and at my office aforesaid I proceeded then and there to take the following depositions, namely –

James Sweeny, 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 Complainants and herewith returned deposes and says. To the first Int – That he knows all the parties