

take, write down and transcribe the depositions of all and every the witnesses and witnesses produced and examined by the Commissioners named in the Commission herunto annexed as far forth as you are directed and employed by the said Commissioners to take write down and transcribe the said depositions or any of them. ~ In help you God. ~

Interrogatory

Thomas Smith and
Francina Smith his wife } No 3045 Equity. ~
In the Circuit Court for Frederick County in Equity. ~

James Sweeney et al } 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 dec'd? If yes are they dead or alive? ~

Third ~ Are you or not acquainted with the lands whereof Christian Sweeney dec'd, 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 Christian dec'd as aforesaid seized? If yes state fully all your knowledge herein? ~

Fourth ~ Were you or not acquainted with one Christian Sweeney 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 Christian Sweeney 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 Christian Sweeney 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 Columba Sweeney a daughter of said Christian Sweeney? 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. ~

Eighth ~ Can or cannot the said lands described in Exhibit No 2 be divided among the heirs at law of Christian Sweeney, 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 case, as if you had been particularly interrogated thereby.

Wm. J. Chas. C. Rob
Sole 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 case therein depending, between Thomas Smith and wife, as Complainants and James Sweeney 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 Commission 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 evidence 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 Sweeney, a witness of lawful age, produced upon the part of the Complainants, being duly sworn and examined to interrogatories filed with the Commission by the Complainants and herewith returned depose and says. ~ To the first to wit That he knows all the parties