

his debts state all your knowledge herein

Upham Carnack
for Complainant -

Samuel Birchy vs \$2938 Equity, In the Circuit Court
Mary Mont et al
for Frederick County in Equity

Special interrogatories to be propounded to
John W. Barnick a witness to be produced on the part of Com-
plainant.

Interrogatory First

Look at the papers now shown
you marked and filed as Exhibit B. in this case did you
or did you not see the parties whose names are therein
signed sign said paper. State all your knowledge therein

Upham Carnack
Solicitor for Complainant -

At the request of the within Commission of said court of the Circuit
Court for Frederick County sitting as a Court of Equity to me
directed and impowering me to examine evidence in a cause
pending in said Court in which said cause Samuel Birchy is
Complainant and Mary Mont et al are defendants said cause
being No 2937 in the Equity of said Court. I Upham Carnack the
standing and duly qualified Commissioner did on the 14th
day of August 1869 at my Law office in the City of Frederick
proceed to take the following depositions to wit

John W. Barnick a witness of lawful age produced on the
part of the Complainant being duly sworn and examined
to interrogatories filed with me by the Solicitor for Complainant
and herewith returned deposes and says for the 1st Interrogatory
I know all the parties to this suit I have known Samuel
Birchy the Complainant and Mary Mont one of the defendants
for over twenty years the rest of the defendants since their
childhood. Samuel Birchy & Mary Mont are over twenty one years
of age the rest are minors and all of the defendants as well
as the Complainant reside in Frederick County. In the 2^d Interrogatory
I know Baltzer Mont he is dead he died last fall intestate he
left a widow Mary Mont and the following children William
Mont Franklin Mont Sophia B. Mont and Margaret L. Mont
all of whom reside in Frederick County and all of the said
children are minors. In the 3^d Interrogatory I looked at the paper
now shown me marked exhibit A. I did not see the said Baltzer
signing the said note. The note is in the hand writing of John S.
Alphe whose name is attached therein as witness. Baltzer Mont could
not write I know that Baltzer Mont was indebted to Samuel Birchy
and when I became administrator of the estate of the said Mont
I received this note from Birchy. In the 4th Interrogatory I have
looked at the paper now shown me marked Exhibit B. it is a