any of them, So help you God ~
Filed February 14th 1870 ~

Interrogatories

Zacharias Myers & wife
vs
John Kinney and others

No 3493 Equity
In the Circuit Court for Frederick County ~

Interrogatories to be propounded to witnesses to be examined on the part of the Complainants. ~

1st Int: ~ Do you know the parties to this Cause? or either or which of them, and how long have you known them? ~

2nd Int: ~ Did you know one John Kinney Sr late of Frederick County? Is he living or dead? And if dead, when and where did he die?

3rd Int: ~ Did said John Kinney leave a widow surviving him? Is she now living or dead? If dead, when did she die?

4th Int: ~ Do you know the real Estate of which John Kinney died seized and possessed? Look at Exhibit No 1. and state whether he died seized and possessed of the land described therein. ~

5th Int: ~ Did said John Kinney die intestate, and if you state who are his children and heirs at law? Give their names ages and places of residence? ~

6th Int: ~ State the quantity and value of said real estate, also state whether said land will admit of partition among said heirs at law without injury & loss, and whether it will be to the interest and advantage of said heirs at law to have said real estate sold, and the proceeds divided among them? State fully your opinion and the reasons therefor. ~

Milton G. Urner
Solicr for Complainants

Filed Feby 14th 1870 ~

Testimony

At the execution of the annexed Commission issued out of the Circuit Court for Frederick County, sitting as a Court of Equity, on the 1st day of February AD 1870, and to us directed, empowering us to examine witnesses in the Cause depending in the said Court between Zacharias Myers and Susan Myers his wife as Complainants and John Kinney and Mary Ann Kinney and David Barnhart and Sarah Barnhart as Defendants, We Francis Brengle, and J. E. R. Wood Commissioners therein named, having met at our Office in Frederick City Md on the 1st day of February AD, did then and there proceed to take the following testimony. ~ The Solicitor for the Complainants filed with the Commissioners as Evidence, Exhibit No 1. The Commissioners then proceeded to take the following depositions, to wit: ~

Samuel B Ecker, a witness of lawful age produced on the part of the Complainants, being duly affirmed and examined to interrogatories filed with the Commissioners by the Complainants and herewith returned deposes and says ~

To the 1st Int: ~ That he knows all the parties to this suit except David Barnhart and wife, and has known them many years. ~

To the 2nd Int: ~ That he did know one John Kinney. He is dead. He died several years ago in Frederick County State of Maryland. ~

To the 3rd Int. ~ That the said John Kinney did leave a widow, named Margaret Kinney who has been dead a year or so. ~

To the 4th Int. ~ That he knows the lands of which John Kinney died seized and