

The Complainants filed with the Commissioners as weduce Exhibits Nos 1 & 2, herewith returned, and then and there after having given all parties concerned, due notice, and in the presence of the Complainants and Defendants respective Solicitors proceeded to take the following depositions, to wit. Jacob Schockey, a Witness of lawful age, produced on the part of the Complainants and herewith returned, deposes and says. ~

To the 1st Sub. ~ That he knows the parties to this suit ~ ! Know them all - that he is one of the Defendants - William Helty, Elias Helty, Jacob Schockey, Mary Helty, Sarah Helty, Susan Helty, Catharine Helty, John J. Helty, are all over twenty one years of age ~ William H. Helty, a son of Elias Helty, James C. Helty, Jacob W. Helty, Charles F. Helty, Joseph S. Helty, Samuel R. Helty, Francanna C. Helty, Ann Maria Helty, Martha Sophia Helty are all under 21 years of age, and all reside in Frederick County Maryland. ~

To the 2nd Sub: ~ That he did know Casper Helty, That Deponent is his son in law. That Casper Helty is dead - been dead this long time, Cant tell how long - The Deponent here looks at the papers here shown him, and oh is read to him, at the date of said deed marked Exhibit No 1 said Caspar Helty owned and was in possession of the lands therein specified and described ~ The Grantees named in said deed, were the children of Casper Helty ~

To the 3rd Sub: Waived by Complainants Solicitor as to this witness. ~

To the 4th Sub: ~ Deponent knew Elizabeth Schockey - she was the wife of Deponent - she was the daughter of Casper Helty and one of the Grantees named in said deed marked Exhibit No. 1. ~

To the 5th Sub. ~ Deponent looks at the Copy of the Will of Elizabeth Schockey shown him marked Exhibit No 3, and says that Elizabeth Schockey is dead - she died the 8th day of May 1864 - she had, at the time of her death, no other real estate than undivided 1/8 interest under the Deed marked Exhibit No 1 in the land therein described and specified - That the Deponent is her surviving husband - The devisees mentioned in her Will are the same persons who are named in the title to these Interrogatories - she had no children, and her brothers and sisters were her heirs at law ~

To the 6th Sub. ~ That the Witness knows the lands described in Exhibit No 1. and Exhibit No 2 - they are situated in Frederick County in Emmittsburg District at the mouth of Jones Creek at the Mouth of Monocacy - Witness thinks it would be better to sell the lands under a decree of the Court and distribute the money among the parties interested according to their respective interests. ~

To the 7th Sub. waived as to this witness. ~

To the 8th Sub: That he does not know of any other matter or thing concerning this cause. ~

Joshua Mottler, a witness of lawful age, produced on the part of the Complainant, being duly sworn, and examined to Interrogatories, filed with the Commissioners by the Complainants and herewith returned, deposes and says. ~

To the 1st Sub. ~ That he has met Stephen Fox. ~ That he knows William Helty and all the children of Casper Helty, but does not know the children of Elias Helty - comprising the last named nine of the Defendants to this Bill - All that witness knows are over twenty one years of age, and reside in Frederick County. ~

To the 2nd Sub: ~ That he knew Casper Helty, he is dead. - That he looks at Exhibit No. 1 here shown him - Casper Helty at the date of said Deed, owned and possessed the lands therein described. ~ The Grantees therein named were the children of said Casper Helty. ~

To the 3rd Sub. ~ That he looks at Exhibit No. 2, now shown him - said Exhibit No. 2, does embrace and convey all the interests of all the parties therein except Mrs. Schockey ~