

John W. Phelps and Eliz^d Phelps
his wife Abdul L. Steailman & Mary M. Steailman
his wife

No. 2760 Equity,

Interrogatories

James M. Phelps & Eliz^d Phelps his wife John
Hutch & Anna Hutch his wife Eliz^d Phelps
Devi^d Phelps & Eliz^d Phelps his wife Louisa
Phelps Anna Mary Phelps, Jane Smith &
— Smith her Husband,

In the Circuit Court for Fred County
in Equity

Interrogatories to be prepared to interrogatories to be produced on the part of the complainants

- 1st 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
- 2^d Were you or not acquainted with Elizabeth Phelps formerly a resident of Frederick County, Is she dead or alive, If dead, when and where did she die?
- 3^d Did or not the said Elizabeth Phelps leave children, and children of her second son and daughter - if you state how many, their names, ages and present places of residence, & if any are married, their names and the names of their husbands?
- 4th Were you or not acquainted with the Real Estate which the said Eliz^d Phelps, died & seized and possessed. If Yes look at the papers now shown you marked Exhibits No. 1283. Is or is not said property therein fully described
- 5th Can or cannot said lands be divided without loss and injury to the parties in this suit? If no, would or would it not be the interest and advantage of all concerned that the property be sold and the proceeds of sale divided amongst those interested? State fully your reasons for the opinions you entertain on this subject.

Mr. J. Robt. Ph. W. Robt.
Sol. for Comp^{ts}

Testimony

At the execution of the aforesaid Commission out of the Circuit Court for Fred County, & to us directed and empowering us to examine and cause in the Court therein depending between John W. Phelps & others as Complainants & James Phelps and others as Defendants, Wm. M. D. Nelson and D. C. W. Wood Commissions therein named, did on the Eleventh day of October Eighteen Hundred and Seventy two, at the office of Wm. D. Nelson Esq, in Fred City Md, then and there proceed to take the following depositions to wit,

The Complainants filed with the Commissioners as aforesaid Exhibits No 1283 which are herewith returned by the said Commissioners; and
Oswald Dew a witness of lawful age, sworn upon the part of the complainants being duly sworn & examined to interrogatories filed with the Commissioners by the complainants and herewith returned, deposes and says, to wit,

- 1st That he is acquainted with all of the parties to this suit and has known them all for some years
- 2^d That he knew Eliz^d Phelps, that she is dead, that she died in Frederick County, Maryland in the year Eighteen Hundred and Seventy Two,