produced on the part of the Complainant in the above cause
1st, What is your name age and place of residence.
2d. Do you know the parties to this cause and if yea how long have you known them.
3d. Did you know Upton Koons late of Frederick County, if yea is he living or dead and if dead when and where did he die
4th Did said Upton Koons leave any children or heirs at Law and if yea give their names ages and places of residence, are they married or single, and if married give the names of their husbands or wives and residences of same
5th Do you know the hand-writing of said Upton Koons and if yea look at Exhibits Nos. 4 & 5 filed in this cause and state whether the signatures to the same are in the hand writing of said Upton Koons.
6th. Was the said Upton Koons married on the 30th day of April 1857 and if yea what was the name of his wife and is she still living.
7th Do you know any thing further that would be of value to the Complt in this cause and if yea state all you know fully and particularly.

Milton G. Urner
Solr. for Complt.

Filed Dec. 3, 1872.

Testimony

At the execution of the annexed commission issued out of the Circuit Court for Frederick County and to us directed and empowering us to examine evidence in the cause therein depending between Amanda Eichelberger Executrix of Grayson Eichelberger decd. as Complainant and Martha Koons and others as Defendants, We William B. Nelson and John E. Wood Commissioners therein named did on the 3rd day of December 1872 at the Office of William B. Nelson in Frederick City Maryland proceed to take the following testimony to wit: The Complainant filed with the Commissioners as evidence "Exhibits Nos. 1 2. 3. 4 & 5" which are herewith returned by said Commissioners, And there being no witnesses present to be examined the said Commission was adjourned to the 5th day of December 1872 at which time and at the place aforesaid there being no witnesses present to be examined the said Commission was further adjourned to the 6th day of December 1872 at which time and at the place aforesaid "We then and there proceeded in the presence of the Complainants Solicitor to take the following depositions to wit".

Martin Sweeney, a witness of lawful age produced upon the part of the Complainant being duly sworn and examined to interrogatories filed with the Commissioners by the Complainant and hereunto returned deposes and says to the
1st Int. That his name is Martin Sweeny, that he is aged about fifty years and that he resides in Frederick County Maryland in Emmittsburg Dietrich,
2nd Int. That he is acquainted with all the parties to this suit and has known them for many years.
3rd Int. That he was acquainted with Upton Koons that he is dead that he died in Frederick County Maryland during the year 1864.
4th Int. That said Upton Koons left the following children namely: Edward Koons married to Catharine Lambert and residing in Maryland Laura married to Henry Hauer and residing in the State of Missouri, James