

them and then proceed to take the following depositions, to wit:—  
 The Complainants here filed with the Commissioner as evidence (Exhibits) Nos. 1, 2, 3 which are herewith returned by the said Commissioner John M. Fick, a witness of lawful age, produced upon the oath of the Complainants, being duly sworn and examined to Interrogatories filed with the Commissioner by the Complainant, and herewith returned, deposes and says, to the;

1st Int: What is your name, age, and place of residence?

Ans: John M. Fick, aged about forty five years, and I reside near Creagerstown, Frederick County, Md..

2<sup>d</sup> Int: Do you know the parties to this suit? And, if yes, how long have you known them?

Ans: I do. I am one of the Complainants, and Joseph H. Fick, is one of the Defendants in this cause, I have known them all for years.

3<sup>d</sup> Int: Did you know Daniel E. Fick, late of Frederick County? And if yes, is he living, or dead? And, if dead, when & where did he die.

Ans: I did, He was my brother. He is dead. He died in Creagerstown District, Frederick County, Maryland, in October, Eighteen hundred and sixty three, in the said

4th Int: Did said Daniel E. Fick die testate or intestate?

Ans: He died without a will.

5th Int: Do you know the heirs at law of said Daniel E. Fick? And if yes, give their names, ages & place of residence, and state their relationship to said Daniel E. Fick? State fully all you know with reference thereto?

Ans: He was never married. He left the following heirs at law, namely; John M. Fick, John H. Fick & James M. Fick, brothers of the said Daniel E. Fick deceased; all adults at the time of his death, and all now reside in Creagerstown District, Frederick County, Md, except James M. Fick, who is since deceased.

6th Int: Was the said Daniel E. Fick, the owner of any real estate, at the time of his death? And, if yes, describe the same fully and particularly?

Ans: He was. He was the owner of one undivided third of about Seventy two (72) acres of land, part of "Shepherd's Delight", situated on "Hunting Creek, in Creagerstown District, Frederick County, Maryland, I look at "Exhibit No. 1," now here shown me, It is the same as is described in said "Exhibit No. 1", except a parcel thereof sold to Samuel Eckhart, and described in "Exhibit No. 3."

7th Int: Did you know James M. Fick, late of Frederick County? And if yes, is he living, or dead? And if dead, when and where did he die? And did he die testate, or intestate?

Ans: I know James M. Fick, He is dead. He died in Creagerstown District, Frederick County, Md.