No 4453 Equity

Clerk's Oath

You shall truly, fairly and without partiality to any or either of the parties to this cause take, write down, and transcribe the depositions of all and every the witness and witnesses produced and examined by the Commissioner named in the Commission hereunto annexed, as far forth as you are directed and employed by the said Commissioner to take, write down and transcribe the said depositions, or any of them. So help you God

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James S. Gladhill, Lydia Metzger et al
vs
Jacob Toms, Catharine Toms, et al.

No. 4453 Equity
In the Circuit Court for Frederick County

Answers

Interrogatories

Interrogatories to be propounded to witnesses produced on the part of the Complainants in the above cause.

Interrogatories

1st – State your name age and residence.

2nd – Are you acquainted with the parties to this suit, or any of them and which of them? If yes, how long have you known them?

3rd. – Were you acquainted with William Toms? is he living or dead? if dead when did he die? did he die testate or intestate?

4th. – Did William Toms die seized and possessed of any Real Estate? If yes, give its location, quantity, quality and value: look at the paper now shown you marked Exhibit No. 1 and state if the Real Estate therein described is the same property of which William Toms died seized and possessed.

5th. – Did William Toms leave a widow surviving him? If yes, give her name, and state whether she is living or dead; if dead, when did she die?

6th. – Did William Toms leave any children or other heirs at law surviving him? if yes, give their names, ages, and places of residence: State whether any of heirs have died, if so state their names, the time of their death, and whether they left any children or heirs at law surviving them, and if so give the names ages, and places of residence of such surviving children or heirs.

7th. – State whether the real estate described in the paper shown you is capable of advantageous division among the parties in interest and whether or not it would be to the interest and advantage of all the parties in interest in this cause, infants as well as adults that said real estate should be sold and the proceeds divided among the parties in interest: State fully all you know in relation thereto.

At the execution of the annexed Commission, issued out of the Circuit Court for Frederick County, sitting as a Court of Equity, and to me directed and empowering me to examine witnesses in the Cause therein depending between James S. Gladhill & others as Complainants, and Jacob Toms & others as Defendants, I, William B. Nelson one of the Commissioners therein named, did on the 6th day of September A.D. 1879, at my office in Frederick City, Maryland open the said Commission and