

No. 5009. Equity

may be material to the subject of this year Examination, on the matters in question between the parties; if you, state the same fully and at large in your answer.

E. P. Cichellugus
Sol for Plff.

Thomas Dunn and
Annie Dunn, his wife

No. 5009 Equity

John J. Phelps, Sophronia
B. Phelps and Stone wall
J. Phelps

In the Circuit Court for Frederick County
sitting as a Court of Equity.

In pursuance of the annexed order of the Court and notice given me by the Solicitor for the Plaintiff in the above entitled Cause, I Clayton C. Keece, one of the regular Examiners of said Court, having fixed Wednesday the 11th day of February, A.D. 1855 at my office in Frederick City as the time and place for taking the testimony in this Cause and having given due notice thereof to the parties concerned, did then and there proceed to take the following testimony to-wit:-

The Plaintiff filed with the Examiner as Evidence Exhibits Nos. 1, 2 and 3 which are herewith returned by said Examiner, W. Scott Vanfossen, a witness of lawful age produced on the part of the Plaintiff being duly sworn and examined to Interrogatories filed with the Examiner by the Counsel for the Plaintiff and herewith returned as follows and pages

To the 1st Interrogatory.

1st Ans. My name is W. Scott Vanfossen; my residence Frederick County, my age 36 years and I am the Clerk at Montrose Hospital.

2^d Ans. As to the witness.

3^d Ans. I know John Phelps in his lifetime. He is dead. He died on the 15th day of September 1853 at Montrose Hospital in Frederick County.

4th Ans. He left no will, to my knowledge, 5. 6. 7 & 8th Ans. As to the witness.

To the General Issue by Examiner

10th Ans. I know of nothing further that I have stated
W. Scott Vanfossen

Nathan Maynard a witness of lawful age produced on the part of the Plaintiff being duly sworn and examined to Interrogatories filed with the Examiner and herewith returned as follows and pages-

1st Ans. My name is Nathan Maynard, my age 60 years I reside in Frederick County New Market District and am a farmer by occupation.

2^d Ans. I know all the parties to this suit and have known them quite a number of years.

3^d Ans. I knew John Phelps in his lifetime. He is dead. He died at Montrose Hospital in Frederick County in the fall of 1853.

4th Ans. He left no will. About seven months before his death and before he went to Montrose he signed a paper authorizing me