you by the complainants purports to have been acknowledged by the grantor Elisha Berry before you, but that he was not in point of fact before you. Will you now state why it appears from the said deed that it was acknowledged before you by Elisha Berry, when the fact was not so. state all you know about this.

3d. Look at the two deeds marked "M" and "N" and say whether or not they do not contain and convey the same property, and also state if you know why the two deeds were executed.

Intg to be propounded to Elisha Berry a witness examined at former meetings on part of defendant, and now reexamined on same side.

1st. You have stated in reply to the fourth additional Intg put to you by the defendants counsel at a former meeting, certain declarations made by Richard H. Marshall some time in the year 1840 to defendant William F. Berry, will you now state who was present on that occasion, and also state all that passed between the said parties Marshall and Berry whether or not on that occasion they had a quarrel, and state if you know what caused the quarrel between them.

Thos. G. Pratt &
B. C. Magruder, Esq. Solr. for Defts.

Elisha Berry, Robert W. Brooke, et al. vs. William F. Berry

In Chancery.
Intg. in Chief to be propounded to the witnesses on the part of the Complainants.

1st. Do you know the parties to this cause, and if yea for what period of time, the Complainants are Elisha Berry, Robert W. Brooke and Mary Anne his wife, Louisa Berry, William Berry, Nancy Berry and Eliza Berry. The defendant is William F. Berry and state also the relation of the complainants to each other, and which of them are minors.

2d. State if you know the condition of the complainant Elisha Berry's mind, and his mental capacity for transacting business on or about the 7th day of May 1836, and for some time prior to, and subsequent to that period, and whether from his feeble intellect he was not, if not absolutely incapable of managing his own concerns, at least easily imposed on by the artful and designing.

3d. What relation did the defendant William F. Berry bear to him, and did he not about that time, become the agent and trustee of the said Elisha Berry and take upon himself the management as such agent and trustee of the property of the said Elisha Berry, and attend to all his business concerns of every description, and to what period of time, did this exclusive control over the affairs of the said Elisha by the said defendant continue.

4. Do you know the tracts or parcels of land in Prince Georges County, parcel of the real estate of the said Elisha Berry called "Chillum Castle," "Belfast or addition to Charles Gift" and "John Choice Discovered" If yea, state the number of acres contained in each and the value of each, and whether the defendant is not in possession of the same, and from what time he has been in possession of them.

5. Do you know the condition of the said Elisha Berry's bodily health, and mental capacity, on or about the twenty first of June, in the

year 1839. If yea, state fully all you know about it, especially with reference to his ability to dispose of his estate, at the period mentioned or to understand the nature and character of an instrument presented for his execution.

6th. Do you know any thing of the circumstances attending the execution of a conveyance from the said Elisha Berry to the defendant dated 21st June 1839 of the parcels of land mentioned in the 4th Intg. If yea, state all the particulars, and whether said conveyance was read to, or by said Elisha prior to its execution.

7th. Are you acquainted with the pecuniary affairs of said defendant, and were you so acquainted at the date of said conveyance, and before and subsequent thereto. If yea, say whether you think it possible he could have paid the consideration money mentioned in said deed say $4000.

8th. Had the said defendant at the time he became the agent and trustee of said Elisha any property whatever or employment for the support of himself and family, state all you know upon this subject fully.

9th. Is or is not the sum of $4000, an adequate or near an adequate consideration, for the lands mentioned in, and conveyed by said deed.

10th. What have been the annual profits of said lands since the date of said deed (21st June 1839) and since the same have been held by the said defendant, state this as accurately as you can.

11th. Do you know any other matter or thing material to the Complainants. If yea, state the same fully.

Jno. B. Brooke &
John Johnson, for Complts.

Elisha Berry, Robert W. Brooke and others. vs William F. Berry, the Complainants.

In Chancery.
Additional Interrogatories to the Witnesses on the part of the Complainants.

1st. Are you acquainted with Enos D. Ferguson Senr. the witness of that name produced and sworn in this cause, on the part of the Defendant. If yea, state how long you have known him.

2d. Had you, or had you not a conversation with said Ferguson in relation to the business affairs and transactions between the complainant Elisha, and the defendant and his the witness knowledge thereof. If yea, state the substance of the said conversation fully and particularly, and at what time it occurred.

3d. Are you acquainted with Benjamin Duvall one of the witnesses produced and sworn in this cause on the part of the defendant. If yea, state how long you have known him.

4th. Had you or had you not a conversation with said Duvall on the subject of the mental capacity of the complainant Elisha. If yea, state when that conversation took place, and the substance and effect of it, fully and particularly.

5th. Have you or have you not, seen the said Duvall in company with the said Elisha, and what was his general course of conduct towards him.