Montgomery County Sitting as a Court of Equity.

At the Execution of the annexed Commission issued out of the Circuit Court for Montgomery County as a Court of Equity and to us directed on Dampidamii in to examine Witnesses on the second day of January in the said Court between Samuel W. Chandler as Complainant and Wm H. L. Fisher age Eleanor Chandler and others as Defendants We John J. Vernon and Robert W. Carter Commissioners therein named having met on the 15th day of July 1854 at the office of Richard H. Bond Esq in Rockville which having been given to the parties in said cause due notice then and there to take the following testimony in said cause to wit,

Philip J. Comer a legal and competent Witness produced on the part of the Complainant and duly sworn to answer to interrogatories filed with the Commissioners and examined to second Defendants answers says as follows.

To the 1st 2nd & 3rd Defts answers and says that he is over 35 years old and resides in Rockville

To 4th Defts Knows Wm Chandler the Complt and has known him for the last 15 years Defts Knows Wm Fisher and has the care of the defendants for the same length of time Defts Knows some of the Children but does not Know their names or ages.

To 5th Deft was deputy Sheriff for Danl M Chandler late Sheriff of Mont County in August 1844 and did sell the Lands of Fisher to Chandler and believes that to be the same Land described in said deed

Deft by her Counsel objects to the 3rd 5th and 6th answer thereof for the following reasons to be filed,

4th Deft Knows Chapman and addressed letters and Knew whether they were offered for sale under the same Act.

5th Deft cannot say that it is his genuine Signature

6th Deft is acquainted with their Signatures and believes them to be their genuine Signatures.

The following are the answers of Chandler Keys & Witness produced and sworn on part of the Complt to the interrogatories propounded to him.

1st Deft is about 46 years old and resides in Montgomery County;

2d Deft has Known Wm Chandler since 1833 and Wm Fisher about the same time and Deft is acquainted with some of Wm Clagett Children

3d Deft does not recollect,



4th Deft was at the sale and became the purchaser, but Deft cannot speak positively as to the price, but thinks it was $2.65 or $3.65 Dollars paid in the lump and not by the acre

5th Deft did not comply. His reasons were that he was told the title was not good and the Staff depreciated the money before he made the return of the bill to the Court Deft went to the Office of Mr Clagett to know whether he could purchase her right of dower, and she would not agree to sell & that was another reason why Deft did not comply.

Answers of Chandler Keys to the cross Interrogatories propounded to him on part of Defts.

1 Deponent does not live in the Town of Darnestown, and immediately on the Road leading from Rockville to Poolesville Deponent thinks the property ought to have been sold in smaller lots than it was sold in.

The Commission was again opened at the Office of R. I. Bond Esq in Rockville on the 23d Sept 1854 when James B Beall a Witness of lawful age was produced and sworn on the part of the defendants.

The following are the answers of James B Beall to the Interrogatories propounded to him

1st Dept is upwards of seventy years old and resides near Darnestown in this County;

2d Dept says he is acquainted with them and has known the Chandler for 20 years;

3d Dept knows the Land & knows not Know them of &c.

Answers of James B Beall to Cross Interrogatories propounded to him on part of Complt

1 Dept Has Land adjoining them and gave $2 for the Home place and $5.10 for the Lower place

Dept says it has been about 20 years since he bought the Lower Glebe but does not recollect when he bought the Home place

2d Dept says it was improved when it was a pretty good dwelling House and other out Houses and had a proper proportion of Wood and contains 285 acres.

Answers of James B Beall to and 3rd on part of defendants,

1st Dept says it was taken more and then owned some small improvements upon it.

Answers of Richard I Bond a Witness of lawful age produced and sworn on the part of the defendants

1st Dept is forty seven years old and lives near Darnestown