John Candler use of
Lemuel W Candler
vs
W H L Fisher
Superceded by
William A Chesshire

1842 Aug 8th Judgmt 2761,15
Ind Sum 17 Aug 1842 and cost
1843
W H L Fisher Thos J W Vinson and
Lemuel W Candler

Mr Selby files interrogatories

Sept 13 Aug 1843
Lemuel W Candler
vs
Wm H L Fisher & others

Interrogatories to be propounded to James Offutt Esq a Competent and Credible Witness summoned and sworn on the part of the Complts.

1 What is your age and place of residence.

2 Are you acquainted with the parties in this cause, if you state how long.

3 Were you acquainted with Daniel H Candler Esq late Sheriff of this County if you state whether he is living or dead and if dead when he died,

4 Are you the executor of said Daniel H Candler if not have you read any books or papers of said Daniel H Candler as Sheriff of this County since his death, and if any have you returned the same to the Clerks office of this County

5 State you any other circumstance touching the execution of the books of said Daniel H Candler as Sheriff of this County not herein before mentioned in your answers if you know state all you know in this regard.

Robert J Breese Solr

Corp Interrogatories propounded to James Offutt

1st How long and if after the death of D H Candler before you administered, In what manner possessed and how did you administer and exercise dominion over his effects

2nd Have you administered all the effects of D H Candler

3rd Have you Examined the papers before you administered

R J Breese Solr for Compt

Corp Interrogatories propounded to Jos J Hemingway

1 Were you not Thos J W Vinson Sheriff on the 24th day of August 1843 of Montgomery County if yea when did D H Candler & Breese as Sheriff & Bond &c Executed & Approved

2 Look upon the papers now shewn you marked No 1 and 2 and state whether the papers are the Copies of the interrogatories filed on the part of Sist Specials which issued upon the 24th day of August 1843 & when were they returned State when said returns were made

N J Breese Solr for Defts

Interrogatories propounded to William A Chesshire

1 Were you not Thos J W Vinson Sheriff of Montgomery County on the 24th day of August 1843 if yea state when to which

2 Was Thos J W Vinson Sheriff of Montgomery County the same person who is named as one of the defts in the papers & which you are called to in your answer & the Interrogatories propounded to you in Chief

N J Breese Solr for Defts

To The Honorable The Judges of the Circuit Court for Montgomery County as a Court of Equity. All the Executors of the aforesaid Commissioners appointed & the Circuit Court for Montgomery County as a Court of Equity and to us directed and empowering us to examine witnesses in the cause depending in said Court between Lemuel W Candler as Compt and W L Fisher and others as defendants We Robert W Carter and John J Vinson Commissioners above named Commissioned on the 24th day of May 1843 at the office of R J Breese Esq in the Rules pursuant to Several Notice thereof given to the said parties do proceed then and there in the presence of the Solicitors for the Complainant and Defendants to take the following depositions to wit.

James Offutt a witness of Lawful age produced on the part of the Complainant being duly Sworn and Examined to interrogatories filed with the Commissioners by the Complainant and Answers returned deposes and says.

To the 1st July That he is 52 years old and resides in Montgomery County

To the 2d July That he was acquainted with most of them and had known them as long as he has known himself, others he knew for some time but cannot say how long.

To the 3d July That he was acquainted with him and that he is dead and died in March 1843.

To the 4th July That he is the Administrator of Daniel H Candler and has in one of the books of said Daniel H Candler as Sheriff of the same and that he returned it to the Clerks office of this County

To the 5th July That he has not

To the Corp Interrogatories propounded & the part of the defendants, and herein returned deposes and says

To the 1st July And he cannot pay him any thing that it may hereafter be a Legal Note &c. And the Note and the Books which contained the papers now in the hands of Mr Candler