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same are in the possession or occupancy of the Defendants Zenas Barnum and Andrew McSaughlin, then say how long the said Defendants have been in possession or occupancy thereof?

7. Have you or not any knowledge of the terms of leasing or renting on which the said Defendants have held and occupied said premises? If yea, state said terms, and how you acquired your knowledge?

8. Describe the premises above referred to, that is, the several parcels and their connexions and the uses to which they are applied, so that the Court may judge whether they may be divided to advantage?

9. If you are acquainted with George Stanard and Eliza his wife, say whether they have any children, and if yea, name and describe them.

W. S. Alexander, for Complts.

At the execution of the annexed commission issued out of the Circuit Court for Baltimore City and to me directed, and empowering me to examine witnesses in the cause depending in the said Court between David Barnum, and Augustus Kirby Barnum, infants, by Girard Hewitt their next friend, as Complainants, and Zenas Barnum, Andrew McSaughlin, David McSaughlin, Augustus McSaughlin, Ephraim Kirby McSaughlin, William McSaughlin, and Richard Barnum, George Stanard and Eliza Stanard his wife, Ann Kirby McSaughlin, Jedediah Waterman and Frances Waterman his wife, Frederick W. Tilton and

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Caroline his wife, and George Stanard, Jr. as Defendants; I, Julian I. Alexander, commissioner therein named, having attended on Wednesday, the twenty-seventh day of November 1869, at 12 M. at my office in the City of Baltimore, pursuant to previous notice thereof given to the said parties, and taken the oath annexed to the said Commission, did proceed then and there, the parties or their Solicitors not having attended to take the following depositions, to wit;

Allen Elder, a witness of lawful age, produced on the part of the Complainant, being duly sworn and examined to interrogatories filed with the Commissioner by the Complainant and herewith returned, deposes and says;

To the first Interrogatory, That he does not know the Complainants, but that he is acquainted with all the Defendants except Frederick W. Tilton.

To the second Interrogatory, That he was acquainted with Dr. Augustus K. Barnum, one of the sons of David Barnum, deceased. That the said Dr. Augustus K. Barnum is dead, having died in Alabama, but he, (the witness,) cannot say when the death took place. That he, (the witness) presumes that the Complainants are the children of the said Dr. Augustus K. Barnum, but does not know precisely.

To the third Interrogatory, That he was acquainted with the late Mrs. Frances McSaughlin, the late wife of the Defendant Andrew McSaughlin, that she left five children — namely, David B. McSaughlin, Augustus McSaughlin, Ann —