

as stated in said bill of Complaint, and that said Real estate is owned, and held by the Complainants & Defendants, as stated - said bill of Complaint, and that it will not admit of a division as stated in said bill, and that it would be to the Interest, and advantage, to have said House & Lots and these Defendants are willing that said property should be sold as prayed

Wm. H. Herring Guano<sup>n</sup>

State of Maryland. Frederick County to wit:

On this day of April 1853 the above named William Henry Herring the guardian named appeared before me the Commissioner named in the annexed Commission & made Oath that the matters and things alleged in the annexed answer are true, to the best of his knowledge and belief

Sworn Before

R Wilson Com<sup>t</sup>

To the Hon. W Nelson Judge of the Circuit Court for Frederick County In Chancery The Subscribes, being the Commissioner named in the annexed Commission hereby certify that in Execution of the powers thereby vested in me, I did on the 26<sup>th</sup> day of April 1853 at the City of Frederick assign and appoint William H Herring of Frederick County guardian to Franklin Rubin Infant in said Commission mentioned and took the answer of said Infants, by their said guardian & under the Oath of said guardian by me administered, to the bill of Complaint, in said Commission mentioned, which said answer with said Commission is herewith returned closed under my hand, and seal this 26<sup>th</sup> day of April 1853

R Wilson Com<sup>t</sup>

Thereupon the following Commission to take Testimony was issued 27 April 1853.

Maryland &c The State of Maryland to Robt Nelson In Eq<sup>t</sup> of Frederick County - Greeting - Be it known that you are appointed Commissioner to examine Evidence in a cause depending in the Circuit Court, for Frederick County as a Court of Chancery, between Edward Deobless & Louisa his wife & others Complainants, and Catharine Rubin, Joseph L Rubin, and others Defendants. You are therefore required, having first taken the Oath hereunto annexed, and also administered the same Oath to the persons whom you shall appoint, as clerk - to attend the execution of this Commission - that at such time and place, as to you shall seem convenient, you cause to come before you all such witnesses, as shall be named & produced to you, by either the plaintiff, or Defendant, and that you examine and them, on their Corporal Oaths to be by you administered upon the Holy Evangelists of Almighty God, touching their knowledge, or remembrance of any thing that may relate to the cause aforesaid, and that you cause Notice to be given to the parties or their attorneys of the execution of the Commission before you Execute the same, and having reduced the Depositions so taken by you into writing you seal the same, with