

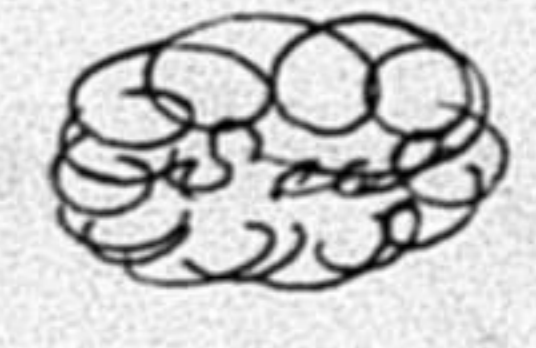
Commissioner's Oath.

You shall, according to the best of your skill, and knowledge, truly, faithfully & without partiality, to any or either of the parties, take the examinations, and depositions of all, and every witness, and witnesses produced, and examined, by virtue of the Commission hereunto annexed, upon the Interrogatories now, or which may hereafter, before said Commission is closed, be produced and left with you, by either of said parties. So help you God.

Clerk's Oath.

You shall truly, faithfully, and without partiality to any, or either of the parties, in this cause, take write down, and transcribe, the depositions of all, and every witness, and witnesses, produced, and examined by the Commissioner named in the Commission, hereunto annexed, as far forth as you are directed, and employed by the said Commissioner, to take write down, and transcribe, the said depositions, or any of them. So help you God.

This Commission is thus Endors'd. Wj. "The execution of the within Commission, will appear by a Certain Schedule to said Commission annexed.

R. Wilson Jr. Com. 

Interrogatories to be filed with the Commissioner in N^o. 2543. Equity.

Interrogatory 1st. Do you know the parties to this Bill?

Inter 2^d. Do you know whether Elijah Toop is living or dead, if dead, state whether he left any children? If so name them. State whether they are Infants, or adults.

Inter 3^d. Do you know whether said Elijah Toop left any personal Estate, and whether letters of administration were ever taken out on his Estate.

Inter 4th. Did Elijah Toop leave any Real Estate, if any where situated?

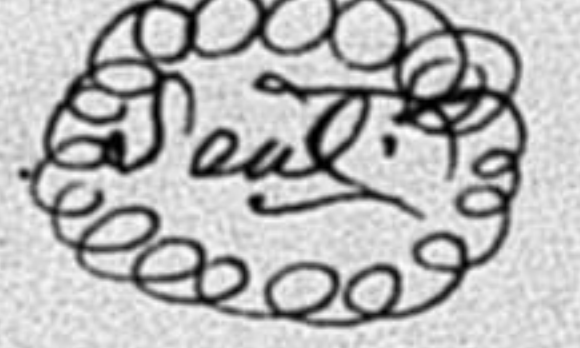
M. D. Suckett, Soller for Compt.

At the execution of the annexed Commission issued out of the Circuit Court for Frederick-County, sitting as a Court, on the 10th Oct. 1854 directed to R. Wilson Jr. empowering him to examine Evidences, in a Cause then depending, in which S. & P. Engle are Complainants, and Moses Toop and Others are defendants. The undersigned, Commissioner having previously taken the Oath as prescribed by the Court & Recorded in the Clerks Office proceeded on the 10th day of October to take the following Testimony, at the City of Frederick, to wit:

Richard. P. Buckingham, witness of lawful age, being duly sworn, answers. To the First Intq. herewith filed & returned - That he knows the parties to the Bill in this cause. To the Second, he answers. Elijah Toop is now dead, he left seven children, all under 21 years of age, their names are Morris, Samuel, Dennis, Lemuel, N. Singleton, Mary & Amanda Toop, they all reside in Frederick - Lemuel, Singleton, and Dennis, who reside in Carroll County.

To the Third Intq. He answers - Elijah Toop, left very little if any personal Estate, and that letters of administration were not taken out on said Estate.


To the Fourth - He answers - That Elijah Toop, left a House & Lot, in Liberty District of Frederick, perhaps, One or two acres. The Commission was here closed.

R. Wilson Jr. Com. 

The following Petition was filed 10th Oct. 1854.

To the Hon. M. Nelson - Judge Nelson, Judge in Equity.

The undersigned - widow of Elijah Toop, shows - That a Bill has been filed, in your Court, for the sale of the Real Estate of her late husband, your petitioner shows that she desires, instead of having her dower laid off, that your Honor will pass an order giving her such part of the purchase money, as the Law fixes, and as in duty &c.

In presence of
Josh. Switzer 

Elizabeth Ann Toop & her marks.