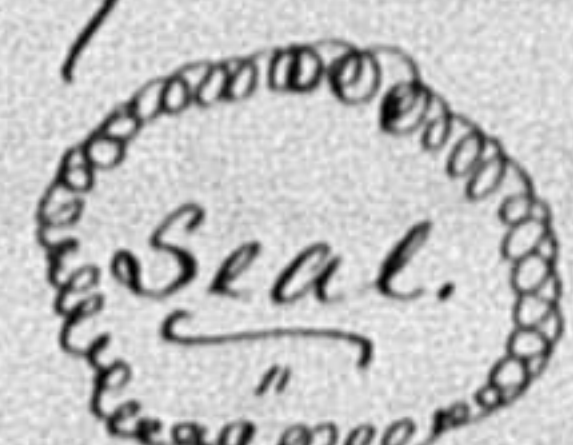


Whereupon the following Commission was issued.

Maryland Set.



The State of Maryland, To Frederick J Nelson Esqr. 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 Thomas Johnson & Catharine his wife, and Edward Johnson Complainants, and Richard E Johnson, Jane Johnson Thomas Johnson & others defendants. - You are therefore required, having first taken the oath hereunto annexed, and also administered the annexed oath to the person 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 evidences as shall be named and produced to you by either the plaintiff or defendant; and that you examine them on their corporal oaths, to be by you administered upon the Holy Evangelij 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 of the witnesses so taken by you in writing, you send the same, with this commission, close under your hand and seal, into the court as a Court of Chancery, with all convenient speed. - Witness the Honorable Madison Nelson, Judge of said court, the fifth day of July Anno Domini 1852. Issued the 24th day of July 1852. Edward Shriver, Clerk.

Commissioners Oath.

You shall, according to the best of your skill and knowledge, truly, faithfully, and 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 the said commission is closed, be produced to 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 the 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.

Thomas Johnson & Catharine Johnson his wife, & Edwin Johnson

No. 24120. In the Circuit Court for Frederick County, sitting as a Court of Equity.

vs
Richard E Johnson, Jane Johnson & others.

Interrogatories to be propounded to the witnesses to be produced on the part of the Complainants.

1st Interrogatory. - Are you or not acquainted with the parties in this cause? If yea, which of them, and how long have you known them?

2nd Interrogatory. - Do you know whether or not any of the parties to this cause are infants under the age of twenty one years? If yea, please state which of them? -

3rd Interrogatory. - Are you or not acquainted with the real estate of which Richard Johnson late of Frederick County dec^d, died seized & possessed? If yea, will the balance of said real estate now remaining unsold admit of advantageous division amongst all the devisees & legatees of said Richard Johnson, and will it or not be for the advantage & interest of all said devisees & tenants in common that said real estate shall be sold and the proceeds of said sale distributed amongst them according to their respective interest? If yea, please state your reasons for such opinion. Grayson Eichelberger, Solicitor for Complt.