County, as a Court of Equity, and by the authority of said Court, adjudged ordered, and Decreed, that the Complainants are entitled to relief in the premises. But because it does not certainly appear to what relief the complainants are entitled. It is further adjudged, and ordered — that a Commission issue to Robert Wilson Esqr. to take Testimony to support the allegations of the Bill. W. Nelson.

Whereupon the following Commission was issued, to wit:

Maryland Sc. The State of Maryland, to Robert Wilson Jr. Esquire of Frdk 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 Jacob Rodkey & Jacob Zumbrum, Exrs of George Rodkey, Complainants and Henry Lung et ux 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 such time, and place as to you shall seem Convenient, you cause to Come before you, all such witnesses as shall be named and produced to you by either the plaintiffs, or defendants; and that you examine them, on their Corporal Oaths, to be by you administered upon the Holy-Evangelys 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 into writing, you send the same, with this Commission, closed under your hand & seal, into the Court as a Court of Chancery, with all Convenient speed. Witness, The Hon. Madison Nelson Judge of said Court, the 17th day of October Anno Domini 1853. Issued the 18. day of October 1853. Edwd. Shriver, clk

Commissioner's 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 & 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 the said parties

So help you God. Sworn to in General Court. Recorded in the Clerks office.

Clerks 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 & witnesses, produced, and examined, by the Commissioners, to take write down, and transcribe the said depositions, or any of them

So help you God.

"Endorsed"

The following Interrogatories were filed.

Jacob Rodkey & Jacob Zumbrum, Exrs. of Geo. Rodkey, vs. Henry Lung et ux.

No. 2459. In the Circuit Court for Frederick County as a Court of Equity. Interrogatories to be proposed to Witnesses, produced on the part of the Complainants

1st. Are you acquainted with the parties to this suit or any & which of them? If yes how long have you known them?