

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 caused to come before you, all such witnesses, as shall be named and referred to you, by either the Complainant, or Defendants, and that you examined them, on their respective Oaths to be by you administered, upon the Oath of Almighty God, touching their knowledge or remembrance of any thing, that may relate to the Cause aforesaid; and that you caused Notes to be given to the parties or their attorneys, of the execution of this 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 Equity, with all convenient speed.

Witness the Hon. Mason Nelson, Judge of our said Court the 11. day of February Anno Domini 1856. Issued 19. May. 1856. *Edw. Shurtz*

Commissioners Oath.

You shall according to the best of your Skill & Knowledge, truly, faithfully & without partiality, to any or either of the parties, take the depositions and depositions of all and every witness & 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 & left with you by either of the said parties. So help you God.

May 22. 1856.

Sworn Before *Mr. Higgins*.

Clerks Oath

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

John D. Kemp, Swearing partner

} N: 2668 Equity
} In the Court for Frederick County sitting as
} a Court of Equity.

Daniel Kemp & others.

Interrogatories to be proposed to witnesses to be produced, on the part of the Complainants N: 2668 Are you or not, acquainted with the parties to this suit, or either & which of them? If yes how long have you known them? and each of them?

2^d Did you, or not know David Kemp of Frederick County If yes how long did you know him? Is he or not dead & about what time did he die?

3^d Do you or not know how many children the said David Kemp had. If yes name them, are any of them dead and did they die before the said David Kemp? If yes which of them? and did they leave any children, name them, and which of them are Infants, under the age of Twenty one years are any of his daughters married, and with whom did they marry?

4th Do you or not know whether David Kemp during his life carried on the business of Milling & Distilling, If yes who was his partner, at the time of his death.

5. Look upon the papers hereunto exhibited marked A N: 1. B N: 2. & C N: 3 Do you or not know the Real property mentioned & described in these deeds If yes state whether, or not David Kemp & son as copartners did