

George H Johnson Complainant, and John Rouzer, Adm<sup>r</sup> of Hy. M<sup>o</sup> Henry & others, defendants. - You are therefore required, having first taken the oaths hereunto annexed, and also administered the annexed oaths 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 Complainant or defendants; 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 anything that may relate to the cause aforesaid, and that you cause notices to be given to the parties or their Attornies, of the execution of the Commission, before you execute the same, and having reduced the depositions of the witnesses, as taken by you into writing, you send the same, with this Commission, close under your hand and seal, into the court as a Court of Equity, with all convenient speed. Witness the Honorable Madison Nelson, Judge of our said Court, the 2<sup>d</sup> day of July, Anno Domini 1855. - Assayed the 17<sup>th</sup> day of July 1855.

Edward 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 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.

Sworn before M<sup>r</sup> Baltzell.

Commo<sup>r</sup>  
Return  
of  
Testimony

At the execution of the annexed Commission issued out of the Circuit Court for Frederick County, sitting as a court of equity, and to me directed, and empowering me to examine evidences in the cause depending in the said court, between George H Johnson as Complainant, and John Rouzer, Administrator of Henry M<sup>o</sup> Henry, Luke T. B. M<sup>o</sup> Henry, and others as defendants. - I, George H. Shellman, the Commissioner therein named did on the third day of September 1855, at my office in Fredericktown - having taken the oaths annexed to said commission proceed to take the following depositions, to wit: - Leonard Picking, a witness of lawful age, produced on the part of the Complainant, being duly sworn and examined to interrogatories filed with the commissioner by the Complainant's Solicitor and herewith returned, deposes & says: - To the 1<sup>st</sup> Interrogatory. That he does know all the parties to said cause. - To 2<sup>d</sup> Int. That he did know Henry M<sup>o</sup> Henry Senior, - that he is dead - he died sometime in the spring of the present year - he left a widow named Mary M<sup>o</sup> Henry, he also left two children Luke T. B. M<sup>o</sup> Henry and Henry M<sup>o</sup> Henry - Luke T. B. is over twenty one years of age, and Henry is under that age - he also left the following Grand Children, who are the children of John M<sup>o</sup> Henry who died before the death of said Henry M<sup>o</sup> Henry Sen<sup>r</sup>; viz, Josephine M<sup>o</sup> Henry, Margaret M<sup>o</sup> Henry, Cassandra M<sup>o</sup> Henry, and John M<sup>o</sup> Henry who are all under the age of 21 years - All the defendants reside in Frederick County Maryland. - To 3<sup>d</sup> Int. - That deponent does know the hand writing of Henry M<sup>o</sup> Henry Sen<sup>r</sup>, and that the signature of the paper marked Exhibit No 1, shew to deponent is in the hand writing of said Henry M<sup>o</sup> Henry Sen<sup>r</sup>. - To 4<sup>th</sup> Int. - That deponent has heard John Rouzer, one of the defendants say, that Henry M<sup>o</sup> Henry Sen<sup>r</sup> was indebted to George H Johnson in an open account, but did not bear him mention the amount. - To 5<sup>th</sup> Int. That Henry M<sup>o</sup> Henry Sen<sup>r</sup> left us will - He did leave real estate, consisting of about fifty acres of land and buildings in Mechanics town district in Frederick County, Maryland. - That the copies of deeds marked Exhibits No 3 & No 4 -

Exhibits  
B  
to Commo  
Return

Exhibits  
C  
to Commo  
Return

Exhibits  
D  
to Commo  
Return