Comm^n to take testy

Maryland, Sc. The State of Maryland, to Grayson Eichelberger of Frederick County, (Seal) Greeting, Be it Known, that you are appointed Commissioner, to examine evidences in a cause depending in the Circuit Court for Frederick County as a Court of Equity, between Henry Brown Complainant and Daniel Brown & Others defendants, You are therefore required, having first taken the oath 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 complainant or defendants; and that you examine them on their corporal oaths, to be by you administered upon the Holy Gospels 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 attornies, 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, close under your hand and seal, unto the Court as a Court of Equity, with all convenient speed, Witness the Honorable Madison Nelson, Judge of our said Court, the 9th day of February Anno Domini 1857.

Edwd Shriver, Clerk,

Petition & Order to ex^e Danl Brown as Witness.

Brown vs Brown } No. 2699 Equity – The complainant in this case prays the Court for leave to examine Daniel Brown a defendant as his testimony is important

Luckett & Johnson, Solt^rs for Complt,

Ordered Feby 11th/57. that Complt have leave to examine Daniel Brown,

M. Nelson

Interrogt^s.

Brown vs Brown } No. 2699 Equity.

Interrogatories. 1st Did you Elizabeth Brown of Frederick County, is she living or dead? When died she die? 2^d Did she die intestate? did she leave any real estate? Where is it situated? Look at paper marked Ex. A. & see if it describes that property. 3^d Did she leave heirs? State their names? Where do they reside? Which are infants? Which are adults? 4th Will the real estate spoken admit of advantage division among the parties concerned? If not will it be for the interest & advantage of all parties entitled, to have said real estate sold & the proceeds divided among them?

Luckett & Johnson

Solt^rs for Complt,

At the execution of the enclosed 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 evidence in a cause pending in said Court between Henry Brown as complainant and Daniel Brown & Others as defendants, I, Grayson Eichelberger, the standing Commissioner, duly qualified, did on the 11th day of February 1857 at my law office in Frederick proceed to take the following deposition in the presence of the Complainant's Solicitor, Daniel Brown, a witness of lawful age, produced on the part of the Complainant and examined to interrogatories filed with me by the Complainant's Solicitor & hereunto returned, deposes and says, To the 1st Interrogatory, I did Know Elizabeth Brown, she was my mother, she is dead, she died about the 1st day of October 1856. To the 2nd Int, She died intestate, she left a small real estate, which is described in the deed here shown me marked Exhibit A. To the 3rd Int. Elizabeth Brown died leaving as her only heirs at law the following named children & grand children, viz. Henry Brown, the Complainant, Daniel Brown this deponent, Leah and Lavina Brown children of the intestate; Ephraim L. Lyons B,