

Subpoena Maryland Jct. The State of Maryland, To Benjamin F. Schwartz of Frederick County, Greeting,  
 Seal You are hereby commanded that all excuses set apart, you personally appear before the Judge of the Circuit Court for Frederick County, sitting as a Court of Equity, to be held at the Court House in Fredericktown, in and for said County, on the first Monday of July next to answer the bill and complaint of Upton Worthington against you in our said Court exhibited, and so forth. Hereof fail you not, as you will answer the contrary at your peril. Witness the Honorable Madison Nelson, Judge of our said Court, the 11th day of March 1861. Issued the 26th day of March 1861. To the Sheriff of Frederick County.

Johnston P. G. Fitzhugh Clerk  
 Endorsed "Summoned" Mich: H. Haller Shiff

Interlocutory Decree Upton Worthington vs Benjamin F. Schwartz  
 N: 2989 Equity  
 In the Circuit Court for Frederick County in Equity.

The defendant, having been duly summoned to appear to the bill of Complaint and having failed to appear thereto. It is thereupon this 2<sup>d</sup> day of July in the year Eighteen hundred and sixty one by the Hon. Madison Nelson Circuit Judge for the third Judicial District of the State of Maryland, sitting in the Circuit Court for Frederick County as a Court of Equity and by the authority of said Court adjudged, ordered and decreed that the Complainant is entitled to relief in the premises. But because it doth not certainly appear to what relief the Complainant is entitled, it is further ordered and adjudged that a Commission issue to Ulysses Hobbs Esq: to take testimony to support the allegations of the bill.

M. Nelson

Commission to take testimony Maryland, Jct. The State of Maryland, To Ulysses Hobbs Esq: of Frederick County, Greeting.  
 Be it known, That you are appointed Commissioners, to examine Evidences in a cause depending in the Circuit Court for Frederick County as a Court of Equity, between Upton Worthington Complainant, and Benjamin F. Schwartz defendant. 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 Complainant or defendant, and that you examine them on their corporal oaths, to be by you administered upon the Holy Evangelies 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 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, first day of July Anno Domini 1861.

Ref Issued the 2<sup>d</sup> day of July 1861. P. G. Fitzhugh 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