

Order to file
5
Take Testimony

Elizabeth A. Winbrenner } N^o 3324 Equity
 Mother and next friends of } In the Circuit Court for Frederick County as a Court of
 John A. Winbrenner & others } Equity
 vs } Joseph W. L. Carty Esq Clerk
 John A. Winbrenner & others } - } The infant Defendants in the above
 cause having filed their Answers, you will please issue a Commission to W^m B. Nelson and
 Robert Nelson Esqs, to take testimony to prove the allegations of the Bill -
 Wm Nelson & Robert Nelson
 Solicits for Complainants

Commission

Maryland, Jct. i. The State of Maryland to William B. Nelson and Robert Nelson Esqs
 Clerks of Frederick County Circuit. - We it know, 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 Elizabeth A. Winbrenner & Complainant, and John A. Winbren-
 ner et al 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 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
 Evangelist of Almighty God, touching their knowledge or remembrance of anything
 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 witness, 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, this 15th day of October
 Anno Domini, 1866. - Issued the 26th day of November 1866
 Jos W. L. Carty Clk

Testimony

Interrogatories

Elizabeth A. Winbrenner } N^o 3324 Equity
 Mother and next friends of } In the Circuit Court for Frederick County -
 John A. Winbrenner & others } Interrogatories to be proposed to witnesses to be produced
 vs } on the part of Complainants - 1st Are you or not
 John A. Winbrenner & others } acquainted with the parties to this suit, or either or which
 of them? And how long have you known them? 2nd Were you or not acquainted with
 one George A. Winbrenner formerly a resident of Frederick County? Is he living
 or dead? If dead, when and where did he die? 3rd Did said George A. Winbrenner
 leave a widow now living? If yes, what is her name age, and place of residence? 4th
 Do you, or do you not know the lands of which said George A. Winbrenner died
 seized and possessed? If yes, look at the Exhibit now shown you, did he not die seized
 and possessed of the real estate described therein? State its quantity, value, and all
 your knowledge hereon. 5th Did or did not said George A. Winbrenner die intestate?
 If so, state to whom did his property descend - Give the names, ages, and places of residence of
 each and all of his children and heirs at law? 6th Are the said lands susceptible of
 advantageous divisions among said children and heirs at law, and would it not cause
 injury and loss to have such divisions, and would it not be to the interest and advan-
 tage of said children and heirs at law, all of whom you state to be infants, to have their
 interest in said real estate sold and the proceeds distributed amongst them, or profitably in-
 vested for their benefit? State fully and particularly all your reasons for your opinions, and