

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 James H. Main and others Complainants, and Lauretta C. Main defendant. You are therefore required, having first taken the oaths herewith annexed, and also administered the annexed oaths to the persons whom you shall appoint as clerks 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 Complainants or defendant; 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 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, with this commission also under your hands 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 9th day of July Anno Domini, 1866.

Issued the 6th day of July 1866 — J. W. Carty Clerk

Testimony

At the execution of the annexed Commission issued out of the Circuit Court, for Frederick County, and to me directed, and empowering me to examine Evidences in the Cause depending in the said Court, between James H. Main and others, as Complainants, and Lauretta C. Main as Defendant, J. W. B. Nelson Commissioner therein named, did, on the Ninth day of July Eighteen hundred and sixty six, at my Office in Frederick, Maryland, proceed thus and there to take the following testimony, to wit. The Complainants filed with the Commissioner as evidence, Exhibits Nos 1, 2, 3, 4, 5, 6, 7, 8, & W. B. N. which are herewith returned by the Commissioner, and there being witnesses present to be examined, and the Complainants requiring further time for the production of their evidences, the Commissioner adjourned the said Commission to the seventeenth day of July A. D. 1866. at which time and at the place aforesaid, I proceeded to take the following depositions, to wit.

Emm Doub, a witness of lawful age, produced on the part of the Complainants, being duly sworn and examined to interrogatories filed with the Commissioner by the Complainants, and herewith returned, deposes and says. To the 1st Int. That he is acquainted with all of the parties to this suit and has known them all for some years. To the 2nd Int. That he was acquainted with Frederick Main formerly a resident of Frederick County Maryland, that he is dead; that he died in Frederick County aforesaid during the year Eighteen hundred and sixty two. To the 3rd & 4th Int. That said Frederick Main was married at the time of his death, that he left a widow named Elizabeth who resides in Frederick County aforesaid, and the following children, namely; Lawson, Sarah, Mary E, married to Henry Bess, Joshua H, Amanda C. married to Charles Hooper; Susan R. and Lauretta C. Main, and Emma Main who died in Eighteen hundred and sixty three aged about eight years; all adults over the age of twenty one, except Lauretta C. who is an infant under twenty one years of age, and reside in Frederick County Md.

To the 5th Int. That the said Frederick Main died seized and possessor of real estate situate in Frederick County aforesaid; that he looks at the Exhibits Nos 1, 2, 3, 4, 5, 6, & 7, now here shown him and that said Exhibits describe all the lands of which the said Frederick Main died seized and possessed, with the exception of about sixty three acres described in Exhibit W. B. N. sold to George W. Summers, and that the said real estate is worth about (\$20,000) Twenty thousand Dollars. To the 6th Int. That the said lands cannot be divided amongst

Exhibit 218