admit all the facts alleged and set forth in said bill of complaint and are willing a decree for the sale of said real estate shall pass as therein prayed. ~ Richard Butter
Deborah Ann Butter

Interlocutory Decree

John Haushew
vs
Barbara Butter Etal

No 3235 Equity.
In the Circuit Court for Frd'k County sitting in Equity.
February Term 1866. ~

The defendants Barbara Butter, Charles Butter & Sarah A. Butter, William Butter & Christian Wheacher having been duly summoned to appear to the bill of complaint and having failed to appear thereto; It is thereupon this 27th day of April 1866 by Madison Nelson Judge of the Circuit Court for Frederick County sitting as a Court of Equity & by the authority of the said Court, adjudged, ordered & 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 adjudged & ordered that a commission issue to the standing commissioners of this Court to take testimony in support of the allegations of the bill.
M. Nelson

Commission

Maryland Sct.
The State of Maryland To William B. Nelson & Robert Wilson 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 John Haushew complainant & Barbara Butter Etal defendants ~ You are therefore required, having first taken the oath hereunto annexed, & 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 & place as to you shall seem convenient, you cause to come before you all such witnesses as shall be named & 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 & seal, into the Court as a Court of Equity, with all convenient speed.
Witness the Hon. Madison Nelson Judge of our said Court, this 12th day of February A.D. 1866, Issued this 27th day of April 1866. ~
Jno W. L. Carty Clerk.

John Haushew
vs
Barbara Butter Etal

No 3235 Equity. ~
In the Circuit Court for Frd'k County sitting in Equity.
Interrogatories to be propounded to the witnesses produced on the part of the Complainant. ~

1st Int. Are you or not acquainted with the parties to this suit ~ if yea, how long have you known them. ~ 2d Int. Were you or not acquainted with Osmond F. Butter ~ if yea, is he living or dead ~ if dead, when did he die ~ did he die testate or intestate ~ State, if you know the names of his widow & children, whether adults or minors & which of them, if any, reside out of this State. ~ 3d Int. Look at the papers here shown you marked Exhibits No 1 and 2 ~ do you know the lot of ground described in Exhibit No 1? In whose handwriting is Exhibit No 2 and by whom was the same signed & executed & for what was the same given? State fully your knowledge & means of knowledge herein. ~
G. Eichelberger
Solr. for Complainant

Testimony

At the execution of the annexed commission issued out of the Circuit Court for Frederick County & to me directed & empowering me to examine evidences in the cause depending in the said Court, between John Haushew, as Complainant & Barbara Butter and others