

of Mortgage from Baltzer Mead & wife to Samuel Birch and describe the real estate of which the said Baltzer Mead died seized & possessed.

On the 5th Interrogatory I examined upon the personal estate of Baltzer Mead and found that it was by no means sufficient to pay his debts his personal estate amounted to some \$113 dollars his debts are more than double that amount I know nothing further of

There being no further testimony and no further time being desired for the production of witnesses I have closed this Commission and herewith return the same together with the exhibits marked A & B under my hand and seal this 14th day of August 1860

Wm. Hobbs
Commissioner

Samuel Birch N^o 2838 Equity in the Circuit Court for Frederick's County in Equity

Mary Mead et al

By Honorable Madison Nelson Judge of the Circuit Court for Frederick's County in Equity

Your Complainant through your Honor that by an oversight in preparing his testimony in this cause under a Commission authorized and issued by the order of your Honor's said Court for that purpose he failed to show unto your Honor a material fact required to sustain his said Bill of Complaint in this cause to wit that Mary Mead joined with her husband Baltzer Mead in the execution of a mortgage a copy of which is filed in this cause marked Exhibit B to secure the consideration money to secure which the said mortgage was executed your Complainant filed her bill of Complaint in your Honor's Court and your Complainant therefore prays your Honor to grant an order authorizing the Complainant to recover the said Commission for the purpose of taking testimony to prove the said fact and your Complainant will ever pray &c

Stephen Langstaff
Solicitor for Complainant

Samuel Birch N^o 2838 Equity in the Circuit Court for Frederick's County

Mary Mead et al Petitioner in Equity

The petition of the Complainant praying the Court to authorize him to reopen the Commission to take testimony in the above cause for the purpose of taking additional testimony to sustain his bill in this cause filed being considered it is by the Court ordered that the Complainant is permitted and authorized to reopen the said Commission for the special purpose set forth in his petition

M. Nelson