

being duly sworn and examined to interrogatories filed with the Commissioner by the complainant, and herewith returned deposes and says

That he knows all the parties to this suit, except John Middleton and his daughter Lilla Ellen ^{known them for} ~~some~~ years

That he was acquainted with George Hardt and Hardt is dead he died in February 1862 intestate the names of his children & heirs at law are Charlotte, now wife of Henry Lyday, Julia Ann, now wife of James A. Allen, Ann Mary, former wife of John Middleton, but now deceased, leaving Lilla Ellen Middleton his only child and heir at law, John Hardt, Emma & Lucinda Hardt the three last named are infants & the other are adults, George Hardt left a widow named Mary Ann, now about thirty five years of age and in good health

Whereas as to this witness - Hiram Schiebler, a witness of lawful age produced on the part of the complainant, being duly sworn and examined to interrogatories filed with the Commissioner by the complainant and deposes with returned, deposes and says

That he knows the complainant, Mary Ann Hardt, Charlotte Lyday and Julia Ann Allen and has known them for some years - is not acquainted with the other parties.

Whereas as to this witness -

That he looks at the paper handed to him and marked Exhibit No 1 complainant and deponent owned the land described in said Exhibit No 1 - complainant and in the Bill of Complaint and sold said land to George Hardt for Three Hundred Dollars one half of which sum Hardt paid to deponent for the other half Hardt gave a Mortgage to complainant - the deed from deponent and complainant to Hardt and the mortgage from said Hardt to complainant were executed and delivered simultaneously

At the same time the complainant filed with the Commissioner Exhibit No 1 as evidence, and the same is herewith returned

There being no further witnesses to be examined, and the complainant desiring no further time for the production of his evidence, the Commissioner closed the said Commission and herewith returns this same under his hand and seal the 30th day of August in the year 1862.

Costs of Commission - Commission \$4 -
H. Schiebler Att^y 75
W. Law " 75
\$5 50 W. B. Nelson ^{Clk}
Commissioner

At the request of James Brunner, the following Mortgage was Recorded Feb 3^o 1858
This Mortgage made this 3rd day of February in the year 1858, by George Hardt of Frederick County, in the State of Maryland, Witness that in consideration of the sum of \$100, with interest thereon from this date, now due from the said George Hardt to James Brunner of the County and State aforesaid, the said George Hardt doth grant unto the said James Brunner all that piece or parcel of land being part of a tract of land called Middle Plantation, situate lying and being in the County and State aforesaid, containing thirty four acres and thirty square perches of Land more or less, it being the same piece or parcel of Land which was this day conveyed by James Brunner, Hiram Schiebler and Margareta P. Miller to the said George Hardt as by reference thereto will fully, and at large appear. Provided that if the said George Hardt shall pay on or before the 3rd day of February 1859, to the said James Brunner, the said sum of \$100, with the interest thereon from the date then this Mortgage shall be void. Witness my hand & seal

Yest J. M. Harding 3 George Hardt ^{Clk}

Which was then endorsed: State of Maryland, Frederick County, to wit: I hereby certify that on the 3^o day of February in the year 1858, before me in and for Frederick County personally appeared George Hardt, and acknowledged this foregoing Mortgage to be his act, for the purpose therein set forth, And at same time also personally appeared

Ex
No 1