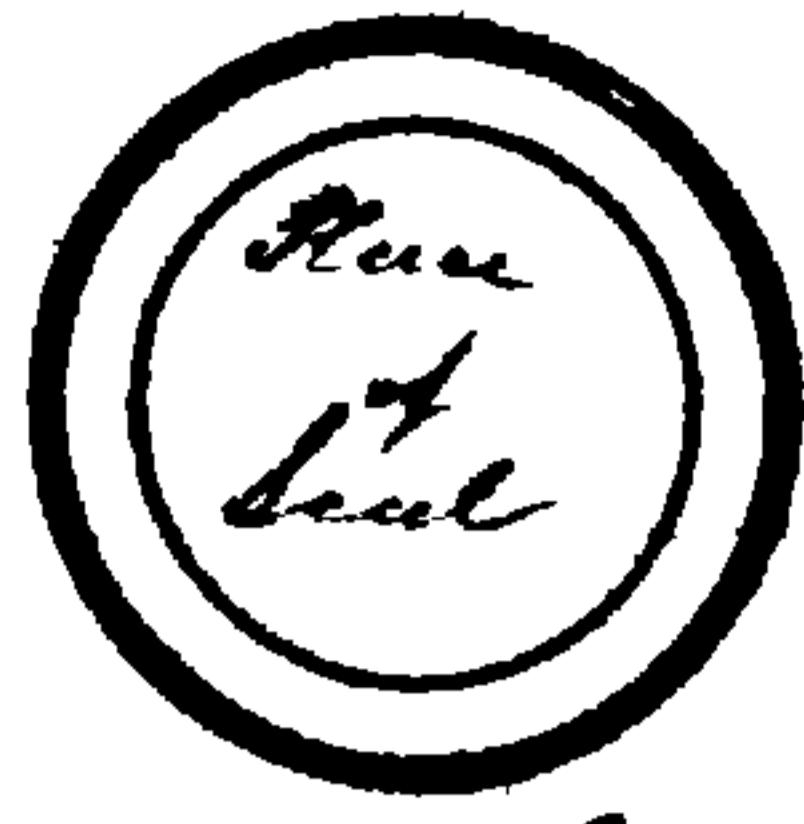


No. 4640 Equity



Maryland, Oct.

The State of Maryland, To William B Nelson and John E. R. Wood, Esquires, of Frederick County, Greeting

Commissioner to take Testimony

Best 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 Summons, Complainant, and Thomas M. Holbroun, John W. Whalen, and Susan Whalen his wife, and others, defendants. You are therefore required, having first taken the Oath hereunto annexed and also administered the annexed oath 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 sworn, and produced to you by either the Complainant or defendant; and that you examine them upon their Oath, to be by you administered upon the Holy Evangelists 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, closed under your hand, and seal, into the Court as a Court of Equity, with all convenient speed.

Witness, the Honorable Richard J. Bone, Chief Judge of our said Court the thirtieth day of December, Anno Domini, 1880.

Advised the Twenty fourth day of December, 1881.

(Seal & Eickelton)

Adolphus Fearhake Jr., Clerk

Commissioner's Oath

You shall, according to the best of your skill, and knowledge, truly, faithfully, and without partiality to any or either of the parties, take the examinations and depositions of all, and every witness, and witnesses produced and examined by either of the Commission hereunto annexed, upon the Interrogatories now, or which may hereafter, before the said Commission is closed, be produced to, and left with you, by either of said parties. So help you God.

Clerk's Oath.

You shall truly, faithfully, and without partiality to any or either of the parties to this Cause, take, write down, and transcribe, the depositions of all, and every the witness, and witnesses produced and examined by the Commission named in the commission hereunto annexed, as far forth as you are directed, and employed by the said Commission to take, write down, and transcribe the said depositions, or any of them. So help you God.

John Summons

(vs)

Thos. M. Holbroun & others

No. 4640 Equity

In the Circuit Court for Frederick County.

Interrogatories to be propounded to witnesses produced on the part of the Complainant.

Interrogatories

- 1st. - What is your name, age & place of residence?
- 2d. - Do you know Thos. M. Holbroun, and Elizabeth Holbroun, and if yea, state whether or not they were husband and wife, and whether they are both still living and if either is dead state when & where he or she died?
- 3d. - Had said Elizabeth Holbroun leave any children now living? and if yea, give their names, ages and places of residence, whether they or any of them, are married, and if yea, give the name of their husbands or wives?
- 4th. - Look at the papers now shown you marked Exhibits Nos 1 & 2, and state whether said Elizabeth Holbroun was seized and possessed of the Real estate therein described?
- 5th. - Has there ever been any administration upon any personal estate of said Elizabeth Holbroun?
- 6th. - Look at said Exhibits Nos 1 & 2, and state whether or not you are the Party gage therein mentioned and if yea state whether or not said Party gage debt has been paid, and if not state what is now due thereon?
- 7th. - Do you know the hand writing of Thos. M. Holbroun & Elizabeth Holbroun, if so look at